CITY OF DANA POINT
PLANNING COMMISSION
AGENDA REPORT

DATE: MARCH 30, 2015

TO: DANA POINT PLANNING COMMISSION

FROM: URSULA LUNA-REYNOSA, COMMUNITY DEVELOPMENT DIRECTOR
SAIMA QURESHY, AICP, SENIOR PLANNER
COMMUNITY DEVELOPMENT DEPARTMENT

SUBJECT: COASTAL DEVELOPMENT PERMIT CDP04-11, CONDITIONAL USE PERMIT CUP04-21 AND SITE DEVELOPMENT PERMIT SDP04-31 FOR THE DEMOLITION OF THREE EXISTING BUILDINGS AND CONSTRUCTION OF FOUR NEW BUILDINGS AND A TWO LEVEL, PARTIALLY SUBTERRANEAN PARKING STRUCTURE ON A 6-ACRE SITE FOR SOUTH SHORES CHURCH, LOCATED AT 32712 CROWN VALLEY PARKWAY. CONSIDERATION OF A SHARED PARKING PROGRAM AND PARKING MANAGEMENT PLAN IS INCLUDED IN CONJUNCTION WITH THE PROPOSED DEVELOPMENT. A FINAL ENVIRONMENTAL IMPACT REPORT (FEIR) HAS BEEN PREPARED TO ADDRESS POTENTIAL ENVIRONMENTAL IMPACTS ASSOCIATED WITH THE PROJECT.

RECOMMENDATION: That the Planning Commission adopt Resolution No. 15-03-30-xx, certifying Final Environmental Impact Report (FEIR SCH#2009041129) and Resolution No. 15-03-30-xx, approving CDP04-11, CUP04-21 and SDP04-31.

APPLICANT/ OWNER: South Shores Church

REQUEST: A Coastal Development Permit, Conditional Use Permit and Site Development Permit to allow the demolition of three existing on-site buildings, and construction of four new buildings with a partially subterranean parking structure on the project site. The four new proposed buildings comprise a Pre-School/Administration Building, a Community Life Center Building and two Christian Education Buildings. The project is proposed to be built in five phases over a period of ten years with "pauses" in between the phases. Approval of a Shared Parking Program and a Parking Management Plan is included in conjunction with the proposed development.

LOCATION: 32712 Crown Valley Parkway (APN 670-181-02)

NOTICE: Notices of the Public Hearing were mailed to property owners within a 500-foot radius, occupants within a 100-foot radius and select communities of Ritz Pointe residential neighborhood on or before March 18, 2015, published within a newspaper of general circulation on March 20, 2015, and posted on March 20, 2015 at the Dana Point City Hall, the Dana Point and Capistrano Beach Branch Post Offices, Dana Point Library, and on the City of Dana Point website.

ENVIRONMENTAL: An Environmental Impact Report (EIR SCH#2009041129) and Findings of Fact have been prepared in accordance with Article 7 of the California Environmental Quality Act (CEQA).

In compliance with CEQA, the Notice of Preparation ("NOP") for the EIR was circulated between February 4, 2010, and March 22, 2010. The Draft EIR was circulated for public review for a period of 45 days, from September 15, 2014, to October 30, 2014. The Notice of Availability (NOA) and/or copies of the Draft EIR were distributed to all Responsible Agencies and to the State Clearinghouse in addition to various public agencies, citizen groups, and interested individuals. Copies of the Draft EIR were also made available for public review at the City's Community Development Department, the Laguna Niguel Library (because the Dana Point Library was undergoing renovations, the Draft EIR was made available at the nearest library to the project site), and on the City's website.

A total of 118 comment letters were received during the public review period or immediately thereafter. 53 of the letters received were in support of the proposed project and did not raise any environmental concerns.

Two comment letters were received from State agencies. One letter was from the Office of Planning and Research, which is responsible for distributing the Draft EIR to other State agencies, and the other came from the California Department of Fish and Wildlife. One local agency, Orange County Public Works, submitted a comment letter. The attached Final EIR contains a copy of all the correspondence received and responses to those comments.

The Master Plan/lead project, as detailed and analyzed in the Draft EIR, comprises the demolition of an existing Chapel, Pre-school building, and Administration/Fellowship Hall, a total of 23,467 square feet of building space. The current parking lot would also be removed, which currently includes 228 parking spaces. New construction would comprise four new buildings: a Pre-School/Administration Building, Community Life Center, Christian Education Building 1 and Christian Education Building 2 for a total new built area of 70,284 square feet including a two level, partially subterranean, parking structure. The project is proposed to be constructed in five phases over a 10-year period; however, construction would not occur continuously over the 10-year period. Based on the information provided by the Applicant, it appears that the total actual construction time is approximately 6 years over the 10-year period.

The Draft EIR concluded that all potentially significant effects of implementing the proposed Master Plan could be reduced to a level of insignificance with the adoption of mitigation measures.

Two alternatives to the Master Plan/lead project were included and analyzed in the Draft EIR. The first was the "No Project/No Development" alternative (Alternative 1) mandated by CEQA. While this alternative would avoid the physical impacts associated with constructing the project, it would not achieve any of the six project objectives. Without the proposed project, no replacement or expansion of existing facilities on the project site would occur (Objectives 1 and 2). The No Project/No Development alternative would not help South Shores Church address the parking needs on Sunday (Objective 3) nor provide additional on-site parking and circulation for the church congregation and visitors of the Church (Objective 6). Additionally, because no development would occur under this alternative, no opportunities to address on-site geotechnical issues (Objective 4), or enhance the southeastern corner of the project site with a Landscaped Meditation Garden (Objective 5) would be provided.

The Draft EIR also analyzed a "Reduced Development" alternative (Alternative 2) that was designed to respond to concerns raised at the scoping meeting which was held on March 4, 2010, and in comments to the NOP, and also to eliminate the need for a height variance for the proposed Community Life Center building. The Reduced Development Alternative included the same proposed uses as the proposed project but, among other things, reduced the proposed new building square footage from 70,284 square feet (sf) to approximately 52,651 sf, a reduction of 25%. Also important to note, the location of the Christian Education Building 1 and Christian Education Building 2, at the northeastern portion of the Site, were relocated away from the slide and open space area by approximately 26 feet and 46 feet, respectively. The amount of demolished building area remained the same at 23,467 square feet. The total building area of Alternative 2, with the current Sanctuary building, is 71,729 square feet. The Draft EIR determined that no new impacts would result from implementing this alternative, and that many impacts were incrementally reduced in comparison to the proposed Master Plan/lead project due to the smaller size (although temporary on-site parking shortfalls were larger during certain phases of construction and so the alternative would require a greater number of temporary off-site spaces as a result).

The Applicant made it clear at the Planning Commission study session held in October, 2014 that it was willing to proceed with the Reduced Development alternative as this alternative was capable of meeting all project objectives.

Comments and concerns were raised about the phasing of the project and impacts to residents in the Monarch Bay Villas condominiums , located just below and to the south of the project site, during the Planning Commission study session and in comment letters on the Draft EIR. In response to those comments and concerns, the Applicant proposed a further refining of the Reduced Development alternative (Alternative 2) by, among other things, accelerating construction of the southern half of the parking structure and by

moving the Landscaped Meditation Garden 30 feet further away from the southern property boundary and those neighbors. This "Revised Alternative 2" was analyzed in the Final EIR and no new environmental issues were identified.

Revised Alternative 2 is the Applicant's preferred alternative and constitutes the project that is presented to the Planning Commission for its consideration and approval.

ISSUES:

1. Does the EIR appropriately identify, mitigate or acknowledge an inability to mitigate potential environmental impacts of the proposed project?

2. Is the proposal consistent with the City's adopted General Plan, Local Coastal Program and Zoning Ordinance?

3. Does the project satisfy all the findings required pursuant to the City's Zoning Code for a Coastal Development Permit, Conditional Use Permit and Site Development Permit?

BACKGROUND:

Project Site: The project site is located at 32712 Crown Valley Parkway and is bounded by Crown Valley Parkway to the west, Monarch Bay Villas condominiums to the south, an undeveloped hillside to the east with Monarch Beach Golf Links golf course beyond, and Monarch Coast Apartments to the north (the "Site"). The Site is approximately 6 acres and is generally rectangular in shape and is currently developed with four buildings and a surface parking lot that functions as South Shores Church (the "Church"). Access to the Site is taken from Crown Valley Parkway.

The Church has been in operation at this site since early 1960s after acquiring the property from its previous owner. Since then several upgrades and additions have taken place to accommodate various Church operations. Currently the site is developed with the following buildings and at grade parking spaces that collectively provide space for various Church functions/operations:

CURRENT STRUCTURES	SIZE OF THE STRUCTURES
Sanctuary	19,078 sq. ft.
Pre-School	6,717 sq. ft.
Chapel	3,765 sq. ft.
Administration and Fellowship Hall	12,985 sq. ft.
Total:	**42,545 sq. ft.**
At-grade parking spaces	228 spaces

Project History:

The project applicant has stated that with the exception of the main Sanctuary building, the current buildings on site have become dated and less than optimal for accommodating existing church activities and functions. The pre-school utilizes several buildings including temporary classrooms. Christian education classes and church committees meet in various rooms not specifically intended as meeting spaces, including the Pastor's office. The existing Fellowship Hall space is too small for Church gatherings such as luncheons and celebratory events. In addition, there are times on Sunday that the activities at the Church generate a demand for parking that exceeds the 228 spaces currently available on-site, with the result that some church attendees park in public on-street parking located along Crown Valley Parkway and other surrounding streets.

Consequently, the Applicant began the process of developing a Master Plan in 2002 to achieve replacement of outdated facilities, stabilization of a portion of the Site determined to be susceptible to landslide risk, and construction of new facilities that would increase the total square footage and parking spaces on the project site.

In 2004, the Applicant submitted an application to the City for the demolition of outdated structures and construction of four new buildings with a two level parking structure. To comply with CEQA requirements, the City prepared a Mitigated Negative Declaration (MND). Two public hearings were conducted by the Planning Commission on June 15, 2009, and then on July 20, 2009 to consider the MND and the proposed project.

The table below details the project as was analyzed in the MND and was presented at the Planning Commission public hearings in 2009:

New Structures	Size of the Structures
Pre-School/Administration Building	15,115 sq. ft
Community Life Center	24,314 sq. ft
Christian Education Building 1	15,399 sq. ft
Christian Education Building 2	15,456 sq. ft.
Total	70,284 sq. ft

No changes were proposed to the main Sanctuary building. The number of proposed parking spaces was 411. The project was to be built in five phases over a period of ten years; however, construction activities would not occur continuously over the 10-year period.

Subsequent to the two public hearings in 2009, the City determined that the level of CEQA review should be elevated to an Environmental Impact Report ("EIR").

EIR Process: The City retained the services of LSA Associates ("LSA"), an environmental consulting firm, to prepare an EIR for the project. As previously mentioned, the NOP for the EIR was circulated between February 4, 2010, and March 22, 2010. Additionally, a public scoping meeting was conducted on March 4, 2010 to present the proposed project and to solicit written input from interested individuals regarding environmental issues that

should be addressed in the EIR. The scope of the Draft EIR was then determined based on comments received in response to the NOP and comments received at the public scoping meeting.

While LSA and City Staff began preparing the Draft EIR, the Applicant evaluated alternative methods to complete the geotechnical stabilization needed to build-out the proposed Master Plan. The Church decided to propose a caisson and tieback (i.e., mechanical) method of stabilization in place of the previously-proposed geotechnical solution, which primarily relied on a graded shear-key technique that involved substantially more grading than the mechanical approach. The applicant also reduced the size of a proposed retaining wall south of the proposed Christian Education Buildings.

Reduced Development Alternative (Alternative 2): During the preparation of the Draft EIR, the Application submitted a reduced version of their Master Plan to be included in the EIR as the preferred Alternative. This Alternative was designed in response to concerns raised at the scoping meeting and in comments to the NOP, and also to eliminate the need for a height variance for the proposed Community Life Center building.

As stated earlier in this report, the Reduced Development Alternative, which is referred to in the EIR as "Alternative 2", includes the same proposed uses as the proposed project but reduces the proposed new building square footage from a total of 70,284 square feet s.f. to approximately 52,651 s.f.. Also important to note, the location of the Christian Education Building 1 and Christian Education Building 2, at the northeastern portion of the Site, were relocated away from the slide and open space area by approximately 26 feet and 46 feet, respectively. The EIR details the analysis of Alternative 2 in Chapter 5 – Alternatives.

Revised Alternative 2: As previously mentioned in this report, comments and concerns were raised about the phasing of the construction of the proposed improvements and associated impacts to residents in the Monarch Bay Villas condominiums, located just below and to the south of the Site, at the Planning Commission study session and in comment letters received on the Draft EIR,. In response to those comments and concerns, the Applicant proposed further refinement to Alternative 2.

Revised Alternative 2 is the Applicant's preferred alternative and is analyzed in the Final EIR. Following are the refinements proposed as part of Revised Alternative 2:

- Completion of the southern half of the Parking Structure, which was previously proposed in Phase 4 of the initially proposed Master Plan/lead project and Alternative 2, to be completed as part of Phase 2;

- Completion of Christian Education Building 1 as part of Phase 3 instead of Phase 2 and completion of Christian Education Building 2 as part of Phase 4 instead of Phase 3;

- The addition of 12 parking spaces as part of Phases 1C and 2. During Phase 3, these additional spaces would be removed and converted to part of the main driveway;
- The changes in construction phasing under Revised Alternative 2 would require the relocation of the temporary pre-school play area during Phases 2, 3, and 4 (the temporary play area would be located to the north of the Sanctuary during Phase 2 and later relocated to a portion of the parking lot just north of the southern half of the Parking Structure);
- Temporary discontinuation of two Sunday bible study classes that run concurrent with the 2nd and 3rd worship services during the first two months of Phase 1C, and the entire duration of Phases 2 and 5; and
- The proposed Landscaped Meditation Garden on the southeast corner of the Site would be moved approximately 30 feet further north, away from the Monarch Bay Villas. No additional grading would be required to accommodate the relocation of the Landscaped Meditation Garden.

The improvements and programming as outlined in Revised Alternative 2 of the EIR, including, but not limited to the items described above, and as further described below, constitutes the project to be considered for approval by the Planning Commission (the "Project").

DISCUSSION:

Project Summary: The Applicant is proposing to demolish three structures on the Site (Pre-school building, Chapel and Administration/Fellowship Hall) and construct four new structures with a two level, partially subterranean, parking structure. No expansion or changes are proposed to the main Sanctuary building. The Church is not expanding the pre-school enrollment or the capacity of the main Sanctuary building for Sunday services. The Applicant's objectives of the Project are as follows:

1. Replace existing facilities on the north end of the property with new facilities consistent with the architectural design and setting of both the Site and the surrounding area;
2. Accommodate the relocation of all existing structures on the Site, with the exception of the Sanctuary;
3. Address the parking needs on Sundays by constructing an on-site Parking Structure;
4. Employ mechanical and structural techniques to address on-site geotechnical issues;
5. Enhance and beautify the southeast corner of the property by constructing a Landscaped Meditation Garden; and

6. Provide adequate on-site parking and circulation for the Church congregation and visitors of the new South Shores Church facilities.

Also, because the Applicant intends to continue most current operations and functions at the Site during construction, the Project proposes phased construction of new facilities and a temporary off-site parking management program during construction to accommodate Sunday peak period parking deficits.

The following table summarizes the Project:

Proposed Master Plan Buildings	Existing or New Construction	First Floor Area (sf)	Second Floor Area (sf)	Total Building Area (sf)
Sanctuary	Existing Building	9,140	9,938	19,078
Total Area to Remain				**19,078**
Preschool/Administration Building	Proposed	7,841	6,026	13,867
Community Life Center	Proposed	11,738	N/A	11,738
Christian Education Building 1	Proposed	8,747	8,511	17,258
Christian Education Building 2	Proposed	4,963	4,825	9,788
Total New Construction				**52,651**
Total Master Plan Building Area		**42,429**	**29,300**	**71,729**

The proposed two-level, partially subterranean parking structure, along with at-grade parking, will provide a total of 364 parking spaces.

The following discussion details each proposed structure's characteristics and its future functions:

Pre-School/Administration Building (Phase 1A): The proposed location of the Pre-School/Administration building is the southeastern corner of the Site, adjacent to the proposed meditation area at a total of 13,867 s.f. in size. This structure is proposed to be two stories high with a maximum height of 31 feet.

The preschool is proposed to be located on the lower level and comprise six classrooms, staff offices, restrooms, and other ancillary spaces. The Church's administration functions would be located on the upper level and would include office spaces, a break room, a prayer room, a reception area, and other ancillary spaces.

It should be noted that the preschool would temporarily operate from this building until construction of its final location in Christian Education Building 2. After the completion of Christian Education Building 2, the preschool would relocate from this interim location. The Preschool/Administration building would then undergo interior renovations to convert spaces on the lower level to suit administrative needs/office spaces.

Operating hours for the proposed preschool would be Monday through Friday, mid-September to mid-June, from 9:00 a.m. to 2:00 p.m. and from morning to evening for administrative functions. Saturday and Sunday functions would be likely occur primarily between 8:30 a.m. and 1:00 p.m.

The exterior of this building will be enhanced with smooth plaster, bronze-tinted glazing on the glass windows to match the existing sanctuary, cultured stone to match the natural on-site boulders, and parapet terracotta roofing on the southwest corner of the building to match the existing Sanctuary.

Community Life Center (Phase 1C): The Community Life Center Building, 11,738 sf in area, is proposed to be located in the northwest corner of the Site with frontage on Crown Valley Parkway. This structure is proposed to be one story high with a maximum height of 35 feet.

Building materials would include smooth and textured plaster, bronze-tinted glazing on the glass windows to match the existing Sanctuary, cultured stone to match the natural on-site boulders, and terracotta roof to match the existing Sanctuary.

Upon completion, the Community Life Center building would accommodate a larger percentage of the congregation for Church events but any such event would not be held during times that conflict with Sunday services or during the Wednesday Women's Bible Study Fellowship, the Church's peak weekday activity. The Community Life Center would also allow the Church to organize a youth basketball and/or volleyball league. The league however would not operate on Sundays or at the same time as the Wednesday Women's Bible Study Fellowship. The size of the Community Life Center further limits how many games/practices could be held simultaneously.

Christian Education Building 1 (Phase 3): The Christian Education Building 1 is proposed to be 17,258 s.f. in area and would be located north of the existing Sanctuary. This building is proposed to be two stories high with a maximum height of 31 feet.

The lower level of this building would be partially below grade on the west and south elevations. The lower level would consist of a children's nursery space and four classrooms for youth Christian education. These functions would operate during Sunday services, with some mid-week and weekday functions occurring on an as-needed basis. The Christian education classrooms could also be utilized for mid-week youth and adult ministry programs during evening hours. The upper level of Christian Education Building 1 would consist of one multi-use room, five classrooms, a children's assembly area, a resource library and other accessory uses. Fellowship Hall functions would occur in the multi-use rooms on an as-needed basis throughout the week for various youth and adult ministry opportunities. The multi-use room would also be available for general community use upon request.

Christian Education Building 2 (Phase 4): Christian Education Building 2 is proposed to be 9,788 s.f. in size and located to the north of Christian Education Building 1. This

building would be two stories high with a maximum height of 31 feet. Similar to other on-site structures, the exterior materials for this building would comprise smooth plaster, bronze-tinted glazing on the glass windows to match the existing Sanctuary and cultured stone to match the natural, on-site boulders.

The lower level of this building would comprise five classrooms and other accessory spaces to be used for the preschool. The upper level would consist of five classrooms with other accessory uses. The preschool would operate from 9:00 a.m. to 2:00 p.m., Monday through Friday from mid-September to mid-June. Christian Education Building 2 would also be utilized during Sunday church services, with mid-week use occurring on an as-needed basis. Following completion of Christian Education Building 2, the preschool would relocate from its interim location on the ground floor of the Preschool/ Administration building to the ground floor of Christian Education Building 2.

The Following table summarizes proposed uses for each structure:

Proposed usage of new buildings

Proposed Buildings	Existing or New Construction	Typical Uses	Typical Use Periods	First Floor Area (sf)	Second Floor Area (sf)	Total Building Area (sf)
Sanctuary	Existing Building to Remain	Worship services, ministry programs, special music and ministry functions, weddings, funerals, and seasonal special events	Sunday mornings and Sunday evenings, Saturdays, weekday evenings	9,140	9,938	19,078
Total Area to Remain						**19,078**
Preschool/ Administration Building	Proposed	Administrative offices, ministry programs and community activities and meetings, Sunday school and preschool programs (during Phases 1B, 1B.E1, 1B.E2, 1C, 2 and 3), dining functions, weddings, funerals	Sundays between 7:30 a.m. and 7:30 p.m., Saturdays between 8:00 a.m. and 10 p.m., weekdays between 8:00 a.m. and 10 p.m.	7,841	6,026	13,867
Community Life Center	Proposed	Ministry programs, post-worship fellowship activities, youth sports leagues and gymnasium uses (not conflicting with worship services), community activities and meetings, dining functions, weddings, funerals, special music and speaking events	7 days per week, between 7 a.m. and 10 p.m.	11,738	N/A	11,738
Christian Education Building 1	Proposed	Ministry programs, Sunday school, community activities and meetings, bookstore	Sundays between 7:30 a.m. and 1 p.m. and Sunday evenings, weekdays between 8:00 a.m. and 10 p.m., Saturdays between 8:00 a.m. and 10 p.m.	8,747	8,511	17,258
Christian Education Building 2	Proposed	Preschool programs, ministry programs, community activities and meetings	Sundays between 7:30 a.m. and 1 p.m. and Sunday evenings, weekdays between 8:00 a.m. and 10 p.m., Saturdays between 8:00 a.m. and 10 p.m.	4,963	4,825	9,788
2-Level Partially Subterranean Parking Structure	Proposed	Parking	7 days a week, between 8 a.m. and 10 p.m. Some functions will necessitate earlier arrivals for staff and ministry needs.	164 spaces	166 space	330 spaces
At-Grade Parking	Proposed	Parking	7 days a week, between 8 a.m. and 10 p.m. Some functions will necessitate earlier arrivals for staff and ministry needs.	34 spaces	N/A	34 spaces
					Total New Construction	**52,651**
					Total Master Plan Building Area	**71,729**

Parking Structure (Phase 2-Southern half; Phase 5-Northern half): The parking structure is proposed on two levels. The upper/at-grade level would provide 166 spaces and the lower level 164 parking spaces. There would be an additional 34 parking spaces at-grade for a total of 364 spaces.

The upper level is designed to follow the slope of Crown Valley Parkway to continue the existing secondary vehicular site entry and exit access point. By preserving this access point, northbound lanes on Crown Valley Parkway would have direct access to the upper level of the Parking Structure. The lower level would be accessed via an at-grade entry and exit from the main, interior drive aisle on both the northern and southern ends of the Parking Structure.

The grade difference, along Crown Valley Parkway, is 16' from northern to southern end of the proposed parking structure. As a result, the perimeter wall of the Parking Structure, as seen from Crown Valley Parkway, would vary in height from 3'- 6" above the adjacent grade at the north end to 6'-6" above the adjacent grade at the south end due to this topography.

An elevator tower, which is proposed along the Parking Structure's eastern elevation, would be approximately 33' high above grade, as measured from the project's internal driveway and 25' high as seen from the west entry drive at Crown Valley Parkway. Building materials would include smooth plaster, green screen covered with vines, and terra-cotta roofing to match the existing sanctuary.

Access: Access to the project site would be provided by the same two access points that currently exist along Crown Valley Parkway. Vehicles from Crown Valley Parkway would enter into the Parking Structure via either a right-turn-in/right-turn-out-only entrance/exit point or via the signalized intersection at Sea Island Drive and Crown Valley Parkway.

Lighting: The proposed South Shores Church project would involve some nighttime operations such as Christian children/youth/college/adult ministries, community meetings, and community events. All facilities would be lighted to accommodate planned nighttime activities and to provide for security after facilities are closed. Lighting for the proposed project includes vertical light posts within the interior of the parking lot, low wall-mounted lamps along the northern and eastern boundaries of the Parking Structure, and recessed wall lights along the western and southern boundaries of the Parking Structure.

The proposed project would comply with Section 9.05.220 of the City's Municipal Code regarding lighting. Any exterior lighting proposed as part of the project would be energy-efficient and shielded or recessed, limiting any potential glare or reflections to the boundaries of the Site. Lighting would also be directed downward and away from adjoining properties and public rights-of-way.

Construction Phases: As stated earlier in this report, the Church would remain operational during the construction of the Project. Therefore, the Project is proposed to be built in five phases over a period of ten years, with periods of time when construction activity would

not be taking place. The actual construction will take place in less than six years because of several gaps where no construction activity will take place on-site. Since the Site will remain operational during construction, parts of the site will remain open to Church users as other parts undergo construction. The following table summarizes the proposed construction phases:

Phase	Description	Anticipated Start Date	Approximate Duration (months)
1A	Construct Preschool/Administration Building	May 2016	12
1B	Demolish existing buildings on north end	June 2017	3
1B.E1	Excavate north end of site & prepare rough grade pad elevations	September 2017	3
1B.E2	Construct geotechnical stabilization measures	December 2017	3
1C	Construct Community Life Center Building & balance of at-grade parking	February 2018	12
2	Construct 1st half of parking structure	January 2021	7
3	Construct Christian Education Building 1	January 2022	12
4	Construct Christian Education Building 2	January 2023	12
5	Construct 2nd half of parking structure	January 2025	7
Completion of Master Plan		**August 2025**	**10 years**

Each phase's scope of work is detailed below:

Phase 1A: Phase 1A is anticipated to be completed over the course of 12 months and would involve the import of 500 cubic yards (cy) of soil. This phase includes the construction of the Preschool/Administration Building, the Landscaped Meditation Garden in the southeastern corner of the Site and an underground storm water detention system beneath a portion of the existing parking area at the southern end of the Site.

The Meditation Garden area would include terraced plateaus for meditation, with ornamental vegetation and paths with benches. The garden would also include a shallow water feature that would cascade from the upper to the lower portion of the garden. It is anticipated that this area would be utilized as a passive park, with quiet spaces for reflection and meditation. No active uses are planned for this area and lighting would be restricted to minimal security lighting. The hours of operation for the garden would be from 7:00 a.m. to sunset and the garden would be inaccessible to the public outside of these hours.

A total of 67 parking spaces would be taken for construction activities during Phase 1A, leaving a total of 161 at-grade parking spaces available for Church activities. At the completion of Phase 1A, 210 parking spaces would be available for use.

Phases 1B; 1B-E1 and 1B-E2:
Phase 1B would commence immediately after the completion of Phase 1A. This Phase includes the demolition of three existing buildings (Preschool, Administration and

Fellowship Hall, and the Chapel) on the north end of the project site over a period of 3 months. The demolition work (Phase 1B) would utilize 8 on-site parking spaces, leaving a total of 202 available on-site parking spaces.

Earthwork on the north end of the site would follow, in Phase 1B-E1after the demolition work is completed. This will include the preparation of rough grade pad elevations and remedial earthwork. The rough grade earthwork activities would involve an export of 23,000 cy of soil. During this Phase, 200 on-site spaces would be available for use.

Phase 1B.E2 involves construction of geotechnical stabilization measures. This will include grading for an access road and bench for construction staging. Installation of the caisson, tie-back anchor, and grade beam slope stabilization system will be constructed per the Approved Geotechnical Reports included in the EIR. This phase will result in the slope stabilization system and graded pads for the future phases. This phase will be completed in 3 months. During this Phase, 200 on-site spaces will be available.

It should also be noted that during weekdays, 28 parking spaces will be fenced off to be used as a temporary play area for the preschool. These 28 spaces will be available on Saturdays and Sundays. At the completion of Phase 1B-E2, 210 parking spaces will be available on-site.

Phase 1C: Phase 1C entails the construction of the Community Life Center building located in the northwest corner of the Site and construction of at-grade parking spaces. This Phase will commence immediately after the conclusion of Phase 1B.

During the first 2 months of construction, a total of 89 spaces would be taken for construction activities, leaving a total of 121 at-grade parking spaces for use. After the first 2 months of construction, the signalized project access at Sea Island Drive and Crown Valley Parkway will re-open and 262 parking spaces will be available on-site.

As noted in the previous phase, during weekdays, 28 parking spaces would be fenced off to be used as a temporary play area for the preschool. These 28 spaces would be available on Saturdays and Sundays. At the completion of Phase 1C, 262 parking spaces would be available on-site.

Phase 2: After a break of two years, the Project proposes to resume with the construction of a portion of the parking structure. This Phase involves the construction of the southern half of the two level partially subterranean parking structure. It is anticipated to be completed in 7 months and will involve export of 7,500 cy of soil from the Site. During this phase the right-turn-in, right-turn-out-only project access on the east side of Crown Valley Parkway will be temporarily closed. The only access point to the Site during this phase will be from the signalized intersection at Sea Island Drive and Crown Valley Parkway.

A total of 180 on-site parking spaces will be taken for construction activities during this phase; leaving a total of 82 spaces available for use. At the completion of Phase 2, 294 parking spaces will be available on-site.

Phase 3: This Phase is anticipated to begin after a break of five months upon the completion of Phase 2. Phase 3 includes the construction of the Christian Education Building 1 over a period of 12 months. No import or export of soil during this construction phase is expected.

Approximately 52 parking spaces would be taken for construction staging activities, leaving a total of 242 parking spaces available. Additionally, 28 parking spaces would be used during the weekdays as a play area for the preschool. These 28 spaces however, will be available for Church activities on Saturdays and Sundays. At the completion of Phase 2, 282 parking spaces would be available on-site.

Phase 4: Phase 4 includes the construction of Christian Education Building 2 over a period of one year. Similar to the previous phase, no import or export of soil for this phase is expected. This Phase will commence immediately after the completion of Phase 3.

A total of 40 on-site parking spaces would be taken for the construction staging activities, leaving a total of 242 spaces available. In addition, 28 parking spaces would be temporarily unavailable during the weekdays since those spaces will be used as a play area for the preschool during this phase. These spaces would be available for the Church's activities on Saturdays and Sundays. At the completion of Phase 4, a total of 282 parking spaces would be available on-site.

Phase 5: The last phase of the Project, Phase 5, includes the completion of the northern half of the parking structure over a period of 7 months. This Phase is proposed to begin 1 year after the completion of Phase 4. This Phase will involve an export of 3,000 cy of soil.

A total of 148 parking spaces would be taken for the construction activities during Phase 5; therefore, a total of 134 parking spaces would be available for use during construction. At the completion of this phase, a total of 364 parking spaces would be provided on-site.

***Compliance with the Dana Point Zoning Code*:** The Project is located within the Coastal Overlay District, in the Community Facilities ("CF") Zoning District. It needs the approval of a Coastal Development Permit (CDP) since the project site is located within the Coastal Overlay District; a Conditional Use Permit since the use of a Church is a conditionally permitted use and also for the approval of a Shared Parking; and a Site Development Permit (SDP) since the proposed project is for a non-residential use of more than 2,000 square feet.

COASTAL DEVELOPMENT PERMIT:

The project site is located within the Coastal Overlay District, in the Community Facilities ("CF") Zoning District. Approval of a Coastal Development Permit (CDP) is required for the proposed project subject to requirements of Chapters 9.27 (Coastal Overlay District) and 9.69 (Coastal Development Permits) of the Zoning Code.

These chapters address issues related to environmental sensitivity, effects on any marine resources, grading and alterations to natural landforms, public access and views, visitor-serving facilities and compatibility with the surrounding area. Applications for CDPs are reviewed with the same attention to design as Site Development Permits (SDP) and discussion of the design of the structure and related zoning code requirements is included in this report.

The CDP requires review of new developments to ensure that the Project is in conformity with the certified Local Coastal Program, is not located between the nearest public roadway and the sea or shoreline of any body of water, will have no adverse impacts to environmentally sensitive habitats and scenic resources, will minimize the alterations of natural landforms and will not result in undue risks from geologic and erosional forces and/or flood and fire hazards, will be visually compatible with the character of surrounding areas, and, where feasible, will restore and enhance visual quality in visually degraded areas and that the proposed development will conform with the General Plan, Zoning Code, applicable Specific Plan, Local Coastal Program, or other applicable adopted plans. The project meets or exceeds the above criteria of the Coastal Overlay District as described in the attached resolution.

CONDITIONAL USE PERMIT:

In the CF Zone, churches and pre-schools are listed as "conditionally permitted uses" and therefore require approval of a CUP. Section 9.65.060 of the Dana Point Zoning Code establishes the findings required to approve a Conditional Use Permit. These findings require that the Commission consider whether the proposed use is consistent with the General Plan, will not adversely affect adjacent uses, and meets the development standards while integrating with existing uses in the zoning district the subject site is located.

Staff's project analysis concludes that the findings required for the approval of this CUP can be made. As stipulated in the attached EIR and the draft Resolution for the project, the project is consistent with the General Plan. Compliance with development standards as stipulated in the CF Zone ensure that the project will have no adverse impacts on adjacent properties.

Shared Parking Program: Pursuant to Section 9.35.060 of the Zoning Ordinance, a Conditional Use Permit is required for the approval of a Shared Parking Program. As stated in the Zoning Ordinance "a shared parking program is the shared use of an on-site common parking facility between various land uses/activities according to a program that assures adequate parking is continually provided". The applicant is

requesting approval of a Shared Parking Program since various on-site activities occur at different days of the week and different times of the day.

To determine parking demand for the project, parking surveys were conducted at the site in April 2014 by LSA's subconsultant, NDS, to determine the peak weekday and Sunday parking demand. Based on review of the parking survey data, the following peak times and peak parking demands were identified:

Weekday (9:45 a.m.–10:00 a.m.): 193 spaces

Sunday (10:15 a.m.–10:30 a.m.): 254 spaces

Based on the NDS parking surveys, the Church generates the highest parking demand on Sundays. The peak parking demand occurs when a worship service and bible study session are both in session. On a typical Sunday, four worship services and three bible study classes are provided as follows:

1st Service (8:15 a.m.–9:15 a.m.)

2nd Service (9:30 a.m.–10:30 a.m.)

Bible Study (9:30 a.m.–10:30 a.m.)

Bible Study (10:45 a.m.–11:45 a.m.)

Bible Study (10:45 a.m.–12:00 p.m.)

3rd Service (11:00 a.m.–12:00 p.m.)

4th (Remix) Service (6:00 p.m.–7:30 p.m.)

Using the existing attendance for the survey days/times, the following parking rates were developed:

Weekday (225 people): 0.86 space per person

Sunday (379 people): 0.67 space per person

The parking demand for the project is based on Church operations (i.e., activities, schedules, and attendance), not building square footage. Although the proposed project would increase overall building square footage, the church activities and schedules are not anticipated to change. However, attendance is expected to grow from current conditions at the completion of the Project. Therefore, increases in attendance (persons) have been utilized for the purposes of estimating the peak parking demand for weekdays and Sundays for each phase of the Project, including completion, as summarized in the Table below:

Phase	Time Period	Revised Alternative 2		
		Parking Demand	On-Site Parking Supply	Surplus/ (Deficit)
Existing Conditions	Weekday[1]	193	228	35
	Sunday[2]	254	228	(26)
1A	Weekday[3]	34	161	127
	Sunday	262	161	(101)
1B	Weekday[3,4]	34	174	140
	Sunday	262	202	(60)
1B-E1	Weekday[3,4]	34	172	138
	Sunday	262	200	(62)
1B-E2	Weekday[3,4]	34	172	138
	Sunday	262	200	(62)
1C	Weekday[3,4]	34	93[6]	59
	Sunday	239[5]	121[7]	(118)
2	Weekday[3,4]	35	82	47
	Sunday	243[5]	82	(161)
3	Weekday[3,4]	36	214	178
	Sunday	271	242	(29)
4	Weekday[3,4]	37	214	177
	Sunday[6]	276	242	(34)
5	Weekday[3]	38	134	96
	Sunday	255[5]	134	(121)
Master Plan Completion	Weekday	333	364	31
	Sunday	352	364	12

Source: LSA Associates, Inc. *Traffic Impact Analysis and Parking Analysis* (July 2014) (Appendix J).
Note: Parking demand estimates developed from surveys conducted at the project site on April 27 (Sunday) and April 30 (Wednesday), 2014.
[1] April 30, 2014.
[2] April 27, 2014.
[3] The Women's Bible Study Fellowship held on Wednesdays would be discontinued during project construction.
[4] The on-site parking supply would be reduced by 28 spaces during weekdays to accommodate the temporary outdoor play area for the preschool.
[5] Two Bible Study classes that run concurrent with 2nd and 3rd Worship Services held on Sundays would be discontinued during project construction
[6] After the first 2 months of Phase 1C, the on-site parking supply on weekdays increases to 121 parking spaces.
[7] After the first 2 months of Phase 1C, the on-site parking supply on Sundays increases to 262 parking spaces.

With the provision of 364 parking spaces on-site, the Project will be able to meet the parking demand on-site once the Project is complete at build out.

Parking during Project Construction: As shown in the Table above, adequate weekday parking would be provided during each construction phase, however a parking deficit would occur on Sundays during Phase 1A (101 spaces), Phase 1B (60 spaces), Phases 1B-E1 and 1B-E2 (62 spaces), Phase 1C (118 spaces during the first two months of construction), Phase 2 (161 spaces), Phase 3 (29 spaces), Phase 4 (34 spaces), and Phase 5 (121 spaces). The applicant, therefore, would have to secure off-site parking to accommodate the Sunday parking demand during construction.

The Project is conditioned to obtain future Planning Commission approval for an updated Parking Management Plan as detailed in Chapter 9.35 of the City's Zoning Ordinance for each future Phase. The Parking Management Plan would include parking agreements to accommodate parking needs off-site, or other means to provide required spaces on-site, during each phase of construction on Sundays in an amount equal to or greater than the deficit spaces identified above for each Phase. The off-site parking agreements would be reviewed and approved by the City prior to the issuance of any construction permits for each phase.

The off-site shared parking agreement for each construction phase would remain in effect until commencement of the following phase or until the Applicant demonstrates to the City that the Site is able to provide adequate on-site parking to meet the parking demand.

Parking Management Plan: The Applicant has submitted a Parking Management Plan in conjunction with the proposed development that illustrates the implementation measures to accommodate parking during each phase of construction and how the deficits are proposed to be managed. Conditions are included in the attached draft resolution that list requirements to manage the demand for parking on-site. (See attached Resolution Conditions 18 – 23)

For Phase 1A, the Applicant has submitted letters from St. Anne's School located in Laguna Niguel at 32451 Bear Brand Road and from the County of Orange for tentative use of the parking lot off Pacific Island Drive near the signalized intersection at Alicia Parkway in Laguna Niguel. The Church would use these parking lots, a total of 190 spaces, on Sundays, during the peak demand. The provision of these off-site facilities would satisfy the parking requirements for Phase 1A. Nevertheless, staff is proposing the following condition in the attached draft resolution:

"The City can require discontinuation or re-scheduling of any Church operations during any of the construction phases, as necessary, to avoid peak period parking problems."

SITE DEVELOPMENT PERMIT:

Section 9.71.020 of the Dana Point Zoning Code specifies that a Site Development Permit shall be required for all non-residential development exceeding 2,000 gross square feet. Section 9.71.050 of the Code also establishes the findings required to approve a Site Development Permit. These findings require that the Commission consider whether the site design is compliant with the development standards of the Code, is suitable for the proposed use and development, is consistent with the General Plan and Urban Design Guidelines, and that the site and structural design is appropriate for the site and function of the proposed use without requiring a particular style or type of architecture.

The Project is consistent with all of the required development standards of the Zoning Code, the General plan and Urban Design Guidelines. The following table summarizes the project's compliance with the CF Zone's development standards:

Development Standards		*Proposed Project*	*Compliance*
Lot Coverage	35%	18%	Yes
Landscape Coverage	20% (min)	31.6%	Yes
FAR	0.40	0.29	Yes
Height	31' – 35'	CLC – 35' Preschool/Admin – 31' Education Bldg 1 and 2 – 31'	Yes
Min. building separation	10'	20'	Yes
Setbacks: front side rear	20' 10' 20'	20' 16', 30' 38'	Yes

The Project also features site retaining walls as part of the overall site plan. As proposed, these would be sufficiently screened from the street and adjacent properties with landscaping; therefore, there would be no adverse visual impacts due to the proposed retaining walls.

CONCLUSION:

Based on the above analysis, Staff has determined that the required findings can be made supporting certification of the EIR prepared for the Project as well as CDP04-11, CUP04-21 and SDP04-31 related to development of the Project and recommends that the Planning Commission certify the EIR and approve CDP04-11, CUP04-21 and SDP04-31.

Saima Qureshy, AICP
Senior Planner

Ursula Luna-Reynosa
Director of Community Development

ATTACHMENTS:

Action Documents

1. Draft Planning Commission Resolution No. 15-03-30-xx (EIR)
2. Draft Planning Commission Resolution No. 15-03-30-xx (CDP04-11/CUP04-21/SDP04-31)

Supporting Documents

3. Vicinity Map
4. Project Plans
5. Draft EIR (distributed to the Commission on October 13, 2014, and available on the City's web site at http://www.danapoint.org/index.aspx?page=281)
6. Final EIR
7. Parking Management Plan

RESOLUTION NO. 15-03-30-xx

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF DANA POINT, CALIFORNIA, CERTIFYING THE FINAL ENVIRONMENTAL IMPACT REPORT (EIR SCH# 2009041129) FOR A COASTAL DEVELOPMENT PERMIT CDP04-11, CONDITIONAL USE PERMIT CUP04-21 AND SITE DEVELOPMENT PERMIT SDP04-31; AND ADOPTING FINDINGS OF FACT FOR SOUTH SHORES CHURCH MASTER PLAN PROJECT LOCATED AT 32712 CROWN VALLEY PARKWAY.

Applicant/Owner: South Shores Church

The Planning Commission for the City of Dana Point does hereby resolve as follows:

WHEREAS, South Shores Church (the "Applicant") filed a verified application for development to demolish three on-site structures comprising 23,467 square feet of building space and construct four new structures totaling 52,651 square feet of building space, including a partially subterranean parking structure comprising 328 parking spaces, (the "Project"); and

WHEREAS, the Project is located at 32712 Crown Valley Parkway (Assessor Parcel Number 670-181-02) is bounded by Crown Valley Parkway to the west, Monarch Bay Villas condominiums to the south, an undeveloped hillside to the east with Monarch Beach Golf Links golf course beyond, and Monarch Coast Apartments to the north (the "Site"); and

WHEREAS, the Site is located in the Community Facilities (CF) zoning district of the Dana Point Zoning Map and within the Coastal Overlay District; and

WHEREAS, the application filed by the Applicant includes a request for a Coastal Development Permit ("CDP") for development within the Coastal Overlay District as defined by the Dana Point Municipal Code ("DPMC"); a Conditional Use Permit ("CUP") to permit a church and preschool within the CF zoning district and to allow for an on-site Shared Parking Program and Parking Management Plan; and a Site Development Permit ("SDP") for new development exceeding 2,000 square feet in size; and

WHEREAS, in accordance with the requirements of the California Environmental Quality Act ("CEQA"), the CEQA Guidelines, and the City's local CEQA Guidelines, the City prepared a Draft and Final Environmental Impact Report (EIR), SCH# 2009041129; and

WHEREAS, the Planning Commission held a duly noticed public hearing as prescribed by law on March 30, 2015; and

ATTACHMENT #1

WHEREAS, at said public hearing, upon hearing and considering all testimony and arguments of all persons desiring to be heard, the Commission considered all factors relating to Coastal Development Permit CDP04-11, CUP04-21 and Site Development Permit SDP04-31, including potential environmental impacts; and

WHEREAS, the Planning Commission has prior to its approval, received, reviewed and considered the Final EIR as the supporting environmental documentation for the Project.

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the City of Dana Point as follows:

A. That the above recitations are true and correct; and

B. The Commission has reviewed and considered the Final EIR with regard to the analysis of the Project. Based on this review, and pursuant to CEQA Guidelines section 15090, the Commission hereby certifies the Final EIR and finds that
   (i) as the decision making body for the Project, the Commission has reviewed and considered the information contained in the EIR, and finds that the EIR was prepared in compliance with CEQA;
   (ii) the City complied with CEQA's procedural and substantive requirements;
   (iii) the Commission has independently reviewed and analyzed the EIR and finds that the EIR is an accurate and objective statement that fully reflects the independent judgment of the Commission; and
   (iv) the EIR was presented to the Commission, and the Commission reviewed and considered the information contained in the EIR prior to taking any approval actions concerning the Project.

C. Based on the evidence presented at the public hearing and in accordance with CEQA Guidelines Section 15093, the Commission hereby adopts the "Findings of Fact in support of Findings for the Final Environmental Impact Report for the South Shores Church Master Plan Project" attached to this resolution and incorporated herein as Exhibit "A".

PASSED, APPROVED, AND ADOPTED at a regular meeting of the Planning Commission of the City of Dana Point, California, held on this 30th day of March, 2015, by the following vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

_____
Liz Claus, Chairwoman
Planning Commission

ATTEST:

_____
Ursula Luna-Reynosa, Director
Community Development Department

FINDINGS OF FACT IN SUPPORT OF FINDINGS FOR THE FINAL ENVIRONMENTAL IMPACT REPORT

FOR THE SOUTH SHORES CHURCH MASTER PLAN PROJECT DANA POINT, CALIFORNIA

STATE CLEARINGHOUSE NO. 2009041129

I. INTRODUCTION

The California Environmental Quality Act (CEQA) requires a public agency to make findings if it intends to approve a project. The CEQA Guidelines require written findings on each significant environmental effect of a project, with each finding supported by substantial evidence and accompanied by a brief explanation of the rationale behind it. (CEQA Guidelines, § 15091, subds. (a) & (b).) The findings must bridge the analytic gap between the raw evidence and ultimate decision. The public agency must also "specify the location and custodian of the documents or other material which constitute the record of the proceedings upon which its decision is based." (CEQA Guidelines, § 15091, subd. (e)).

If a project has significant adverse impacts even after incorporating design features and/or mitigation measures to reduce potential impacts, then a public agency must make findings regarding the feasibility of any alternative(s) to the project that would avoid one or more of the significant unavoidable adverse impacts. In addition, if a public agency decides to approve a project despite it having significant unavoidable impacts, it must adopt a "statement of overriding considerations" that explains why the agency has determined that the project is "acceptable" and being approved despite such impacts.

In the case of the South Shores Church Master Plan project, all potential environmental impacts are either insignificant or capable of being reduced to below a level of significance through the incorporation of design features and/or mitigation measures, as discussed in the findings herein. As a result, no findings regarding the feasibility of project alternatives are required, nor is a statement of overriding considerations required as part of the project approvals.

However, despite the fact that the Master Plan project as proposed and analyzed in the Draft EIR had no significant unavoidable environmental impacts, alternatives to the proposed Master Plan were included in the Draft EIR. Moreover, as discussed below, the Applicant South Shores Church is seeking approval of a Master Plan alternative that is a modified version of "Alternative 2" included in the Draft EIR. As discussed in the findings herein, the proposed Master Plan alternative has impacts similar to but incrementally less than the original proposed Master Plan. CEQA allows and encourages project changes to be made in response to concerns raised during the CEQA process and for an agency to approve the modified project if it is environmentally superior to the project as initially proposed.

Section I of the findings includes this introductory section, a summary of the Master Plan as proposed and analyzed in the Draft EIR, and a list of project objectives. Section I also contains a brief overview of the environmental review process for the project, sets forth what materials constitute the record of proceedings and provides information concerning the location and custodian of the record.

In Section II of the findings below, the City of Dana Point makes the determination that all potential environmental impacts of the Master Plan as proposed and analyzed in the Draft EIR are either insignificant or capable of being reduced to a level of insignificance. Section II is important despite the fact that the Master Plan as originally proposed and analyzed is not being considered for approval, because it provides

much of the evidentiary support for concluding that the Master Plan alternative being approved, which is similar to but a reduced development version of the original Master Plan, also has mitigated all potential significant environmental impacts to below a level of significance.

Section III of the findings describes the alternatives and environmental effects of the alternatives that were analyzed in the Draft EIR before describing and making the required findings on the Master Plan alternative being approved. Section IV contains general findings.

A. Summary of Master Plan Proposed and Analyzed in the Draft EIR

The project site is located 32712 Crown Valley Parkway in the northern portion of the City of Dana Point (City), which itself is located in the southwestern portion of Orange County (County). The project site is bounded by Crown Valley Parkway to the west, the Monarch Bay Villas to the south, an undeveloped hillside and the Monarch Beach Golf Links golf course to the east, and the Monarch Coast Apartments to the north. The approximate 6-acre (ac) project site is generally rectangular in shape and is currently developed with the existing South Shores Church development.

With the exception of the Sanctuary built in the 1990s, the current buildings on site have become dated and less than optimal for accommodating existing church activities and functions. The pre-school utilizes several buildings including temporary classrooms that are over 40 years old. Christian education classes and church committees meet in various rooms not specifically intended as meeting spaces, including the Pastor's office. The existing Fellowship Hall space is too small for Church wide gatherings such as luncheons and celebratory events.

Consequently, the buildings proposed as part of the Master Plan will be used to accommodate existing church activities and functions. The Church does not intend to increase the pre-school enrollment or expand the capacity of the Sanctuary for Sunday services. The Sunday services will continue as currently scheduled. Other than the Community Life Center building discussed below, the proposed Master Plan facilities essentially replace current outdated facilities and provide dedicated spaces for ongoing church activities that currently occur in spaces not necessarily intended or well-suited to accommodate such activities.

Upon completion, the Community Life Center building will accommodate a larger percentage of the congregation for Church wide events but any such event will not be held during times that conflict with Sunday services or the Church's peak weekday activity, the Wednesday Women's Bible Study Fellowship. The Community Life Center would also allow the Church to organize a youth basketball and/or volleyball league. The league however would not operate on Sundays or at the same time as the Wednesday Women's Bible Study Fellowship. The size of the Community Life Center further limits how many games/practices could be held simultaneously.

To implement the Master Plan, South Shores Church proposes to demolish the existing Preschool, Administration and Fellowship Hall building, Chapel, and parking lot. Total demolition would include 23,467 sf of building space. The Master Plan as proposed and analyzed in the Draft EIR (note: as discussed in the Introduction and later herein, the Applicant is now seeking approval of a reduced development Master Plan alternative that has impacts similar to but incrementally less than the impacts associated with the original proposed Master Plan) includes construction of a total of 70,284 sf of new building space, including a new Preschool/Administration building, two new Christian Education buildings, a Community Life Center, and a two-level partially subterranean Parking Structure. No construction or modifications to the existing Sanctuary building are proposed as part of this project. The project is proposed in five phases over a 10-year period; however, construction activities would not occur continuously over the 10-year period. Although four of the ministry programs (the Wednesday morning bible study, the bi-weekly Friday morning ministry program, and two small ministry programs held on Tuesday mornings) would be

discontinued during construction, the project is anticipated to result in temporary on-site parking deficiencies during construction. An off-site shared parking program would be in effect during construction of the Master Plan to address these deficiencies (refer to Section 4.12, Transportation and Circulation, for additional information regarding the off-site shared parking program). No parking deficiencies are anticipated to occur after the Master Plan is completed.

Access to the project site would be provided by the same two access points that currently exist along Crown Valley Parkway. Vehicles from Crown Valley Parkway would enter into the Parking Structure via either a right-turn-in/right-turn-out-only entrance or enter the project site at grade via the signalized intersection at Sea Island Drive and Crown Valley Parkway. Project site circulation would be required to comply with the Orange County Fire Authority (OCFA) Fire Code.

The proposed South Shores Church project would involve some nighttime operations such as Christian children/youth/college/adult ministries, community meetings, and community events. All facilities would be lighted to accommodate planned nighttime activities and to provide for security after facilities are closed. Lighting for the proposed project includes vertical light posts within the interior of the parking lot, small wall-mounted lamps along the northern and eastern boundaries of the Parking Structure, and recessed wall lights along the western and southern boundaries of the Parking Structure.

The proposed project would comply with Section 9.05.220 of the City's Municipal Code regarding lighting. Any exterior lighting proposed as part of the project would be energy-efficient and shielded or recessed, directing any potential glare or reflections within the boundaries of the project site parcel. Lighting would also be directed downward and away from adjoining properties and public rights-of-way. No lighting included as part of the proposed project would blink, flash, or utilize unusually high intensity or brightness. Proposed lighting fixtures would also be appropriate in scale, intensity, and height.

The City and the project Applicant established the following intended specific objectives to aid decision-makers in their review of the Master Plan project and its associated environmental impacts:

1. Replace existing facilities on the north end of the property with new facilities consistent with the architectural design and setting of both the church property and the surrounding area;
2. Accommodate the relocation of all existing church structures on the proposed project site, with the exception of the Sanctuary;
3. Employ mechanical and structural techniques to address on-site geotechnical issues;
4. Enhance and beautify the southeast corner of the property by constructing a Landscaped Meditation Garden;
5. Enhance and beautify the southeast corner of the property by constructing a Landscaped Meditation Garden; and
6. Provide adequate on-site parking and circulation for the church congregation and visitors of the new South Shores Church facilities.

B. Environmental Review Process

In conformance with CEQA, and the City's *CEQA Thresholds of Significance*, the City conducted an extensive environmental review of the proposed project.

- The City previously prepared a Mitigated Negative Declaration (MND) for the proposed project that was circulated for a 30-day public review period in April/May 2009. Comments on the MND were

received, response to comments completed, and public hearings took place on June 15, 2009, and July 20, 2009. However, subsequent to these public hearings, the City determined that the level of CEQA review should be elevated to an Environmental Impact Report (EIR). The purpose of the EIR is to evaluate the potentially significant environmental effects of the proposed project and related actions.

- The City conducted a scoping process and issued a Notice of Preparation (NOP) which was circulated between February 4, 2010, and March 22, 2010. Additionally, a public scoping meeting was conducted on March 4, 2010, to present the proposed project and to solicit written input from interested individuals regarding environmental issues that should be addressed in the EIR. The scope of the Draft EIR was determined based on comments received in response to the NOP, and comments received at the public scoping meeting.
- The City prepared a Draft EIR, which was made available for a 45-day public review period, beginning September 15, 2014, and ending October 30, 2014.
- The City held a study session at the Planning Commission on October 13, 2014, to brief the Planning Commissioners and interested parties on the project.
- The City prepared a Final EIR, including the Responses to Comments to the Draft EIR, and the Findings of Fact. The Final EIR/Response to Comments contains written comments on the Draft EIR, responses to those comments, revisions to the Draft EIR, and appended documents.
- The Planning Commission held a duly-noticed public hearing on the proposed project on March 30, 2015, at which it certified the EIR and adopted these findings.

C. Record of Proceedings

For purposes of CEQA and these Findings, the Record of Proceedings for the proposed project consists of the following documents and other evidence, at a minimum:

- The NOP and all other public notices issued by the City in conjunction with the proposed project;
- The Draft EIR;
- The Final EIR for the proposed project;
- All written comments submitted by agencies or members of the public during the public review comment period on the Draft EIR;
- All responses to written comments submitted by agencies or members of the public during the public review comment period on the Draft EIR;
- All written public testimony presented during a noticed public hearing for the proposed project;
- The Mitigation Monitoring and Reporting Program (MMRP);
- The reports and technical memoranda included or referenced in the Response to Comments;
- All documents, studies, EIRs, or other materials cited in or incorporated by reference in the Draft EIR and the Final EIR;
- The Resolutions adopted by the City in connection with the proposed project, and all documents incorporated by reference therein, including comments received after the close of the comment period and responses thereto;
- Matters of common knowledge to the City, including, but not limited to, federal, State, and local laws and regulations;
- Any documents expressly cited in these Findings; and

- Any other relevant materials required to be in the record of proceedings by Public Resources Code (PRC) Section 21167.6(e).

D. Custodian and Location of Records

The documents and other materials that constitute the administrative record for the City's actions related to the project are located at the City of Dana Point, 33282 Golden Lantern, Suite 209, Dana Point, California 92629. The Community Development Department is the custodian of the administrative record for the project. Copies of these documents, which constitute the record of proceedings, are, and at all relevant times, have been, and will be available upon request at the offices of the Development Services Department. This information is provided in compliance with PRC Section 21081.6(a)(2) and *State CEQA Guidelines* Section 15091(e).

II. FINDINGS OF FACT

A. Environmental Effects Which Were Determined Not To Be Potentially Affected By the Proposed Project

As stated in the Draft EIR, the following environmental areas of the Master Plan project proposed and analyzed in the Draft EIR were determined not to be significant and were, therefore, not discussed in detail in the Draft EIR. In addition, based upon the environmental analysis presented in the Final EIR, and the comments received by the public on the Draft EIR, no substantial evidence has been submitted to or identified by the City that indicates that the Master Plan project as orignially proposed would have an impact on the following environmental areas (note: as discussed in the Introduction and later herein, the Applicant is now seeking approval of a reduced development Master Plan alternative that has impacts similar to but incrementally less than the impacts associated with the original proposed Master Plan). These issues are briefly discussed below, along with the reasons they were determined not to be significant.

Agriculture and Forestry Resources. As described on page 2-5 of the Draft EIR, the project site is currently developed with an existing church, located in an urbanized area, and is not used for agricultural purposes. The project site is not designated by the California Department of Conservation as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance. Since agricultural uses are not present and the site is not zoned for agricultural use, the proposed project does not conflict with existing zoning for agricultural uses or any use protected by a Williamson Act contract. The proposed project would not convert farmland to a nonagricultural use. Furthermore, the project site does not contain forestland or forest resources. Therefore, the proposed project would not contribute to environmental changes that could result in the conversion of farmland to nonagricultural use or forestland to a nonforest use. No impacts are anticipated.

Mineral Resources. As described on page 2-5 of the Draft EIR, the project site is not a mineral resource recovery site designated on the City's General Plan, Specific Plan, or other land use plan. The project site contains no known mineral resources that would be of value to the region or to the residents of the State. No impacts are anticipated.

Population and Housing. As described on pages 2-5 and 2-6 of the Draft EIR, the project site is currently zoned Community Facilities (CF) by the City's General Plan and Land Use Zoning Code. The project site is currently developed with a number of structures that are utilized by South Shores Church. The proposed project includes the demolition of existing church facilities and construction of new church facilities. Approval of the proposed project would not result in the loss or construction of residential uses. Additionally, no infrastructure improvements are included as part of the proposed project. Therefore, implementation of the proposed project would not directly or indirectly impact population and housing within the City or the proposed project region. No impacts are anticipated.

Recreation. As described on page 2-6 of the Draft EIR, the proposed project would not generate new residents. Therefore, the proposed project would not generate a demand for additional parks and recreational facilities. However, the proposed project would include on-site recreational amenities, such as the Community Life Center, a playground area, and the Landscaped Meditation Garden. The proposed Community Life Center would provide recreational opportunities by including a gymnasium with courts for basketball, volleyball, and racquetball activities. The proposed project would also provide outdoor recreational opportunities such as the playground area for the Preschool and church uses and the Landscaped Meditation Garden area. Therefore, implementation of the proposed project would not have any adverse impacts on recreational facilities within the project area. No impacts are anticipated.

Biological Resources.

Impact: Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means. As described on page 4.3-11 of the Draft EIR, based on field observations and reported in the Updated General Biological Assessment (LSA, July 2014), the vegetation within the project site consists of upland vegetation, and there are no jurisdictional drainages or associated riparian habitat or adjacent wetlands within the project site. Therefore, implementation of the proposed project would not impact any federally protected wetlands as defined by Section 404 of the Clean Water Act, and no impacts are anticipated.

Hazards and Hazardous Materials.

Impact: Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would create a significant hazard to the public or the environment. As described on page 4.7-17 of the Draft EIR, the Phase I Environmental Site Assessment (ESA) prepared for the proposed project determined that the project site is not included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5, including the Cortese List, and would not create a significant hazard to the public or the environment. No impacts are anticipated.

Impact: For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, the project would result in a safety hazard for people residing or working in a project area. As described on page 4.7-18 of the Draft EIR, the closest airport to the project site is John Wayne Airport, which is approximately 15 miles northwest of the project site. Therefore, the project site is not located within 2 miles of a public airport or within an airport plan, and the proposed project would not have any impacts related to a public airport. No impacts are anticipated.

Impact: For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area. As described on page 4.7-18 of the Draft EIR, the project site is not located in the vicinity of a private airstrip. Therefore, the proposed project would not result in safety hazards to people working or residing in the area. No impacts are anticipated.

Hydrology and Water Quality.

Impact: Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map; or

Impact: Place within a 100-year flood hazard area structures which would impede or redirect flood flows. As described on page 4.8-20 of the Draft EIR, according to Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) No. 06059C0501J (December 3, 2009), the project site is located within Zone X, areas determined to be outside the 0.2-percent annual chance (500-year) floodplain. Because the project site is not located in a 100-year floodplain, the project would not place housing or structures within a 100-year flood hazard area. Therefore, there would be no impact related to placement of housing or structures within a 100-year flood hazard area and no impacts are anticipated.

Impact: Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam. As described on page 4.8-21 of the Draft EIR, the project site is located approximately 4 miles south-southwest (downstream) of Sulphur Creek Reservoir (Laguna Niguel Lake). However, because the project site is located at a higher elevation on a bluff top, it is not anticipated that the project site would be inundated if the Sulphur Creek Dam were to fail. In addition, the project would not increase the risk of failure of the dam. Therefore, the project would not result in impacts related to exposure of people or structures to risk of loss, injury, or death involving flooding as a result of inundation from failure of a dam or levee. No impacts are anticipated.

Land Use and Planning.

Impact: Physically divide an established community. As described on page 4.9-19 of the Draft EIR, all demolition and construction activities associated with the proposed project would occur within the project site. Therefore, implementation of the proposed project would not result in impacts to surrounding existing development or physically divide an established community, and no impacts are anticipated.

Noise.

Impact: For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, expose people residing or working in the project area to excessive noise levels. As described on page 4.10-26 of the Draft EIR, no portion of the project site is located within an airport land use plan, or within 2 miles of a public airport or public use airport. Future development of the subject property would neither affect nor be affected by aircraft operations at such a facility that would generate noise in excess of regulatory standards. Therefore, the proposed project would result in no impacts with respect to the generation of excessive noise levels in the vicinity of a public airport.

Impact: For a project within the vicinity of a private airstrip, expose people residing or working in the project area to excessive noise levels. As described on page 4.10-26 of the Draft EIR, no portion of the project site is located in the vicinity of a private airstrip. Implementation of the proposed project on the site would neither affect nor be affected by aircraft operations at such a facility that would generate noise in excess of regulatory standards. Therefore, the proposed project would result in no impacts with respect to the generation of excessive noise levels in the vicinity of a private strip.

Public Services and Utilities.

Impact: Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board. As described on page 4.11-24 of the Draft EIR, the proposed project would not include any industrial uses that would be subject to an individual permit with specific treatment requirements

from the San Diego Regional Water Quality Control Board (RWQCB). Sewage would be discharged to the South Coast Water District (SCWD) for treatment. Therefore, no impact would occur.

B. ENVIRONMENTAL EFFECTS WHICH WERE DETERMINED TO BE LESS THAN SIGNIFICANT

The Final EIR identified certain less than significant effects that could result from implementation of the Master Plan project as originally proposed (note: as discussed in the Introduction and later herein, the Applicant is now seeking approval of a reduced development Master Plan Alternative that has impacts similar to but incrementally less than the impacts associated with the original proposed Master Plan). No mitigation is required to reduce or avoid such impacts because they would not exceed applicable thresholds of significance.

Aesthetics.

Impact: Have a substantial adverse effect on a scenic vista. As described on pages 4.11 and 4.11-12 of the Draft EIR, within the project vicinity, the City General Plan Conservation and Open Space Element (1991) designates Crown Valley Parkway as a Scenic Roadway for which consideration should be given to preserve views from this roadway. While implementation of the proposed project would modify views of the project site, the proposed project would not result in adverse impacts on views of the surrounding hills from nearby roadways and sidewalks. Therefore, the proposed project would not have a substantial adverse effect on a scenic vista, and no mitigation is required.

The City received several comments regarding the aesthetics analysis included in Section 4.1, Aesthetics, of the Draft EIR. These commenters indicated that the proposed project failed to analyze its potential impacts on views from private properties in the vicinity of the project site and that the project would result in significant impacts on views from Crown Valley Parkway and the Salt Creek viewshed. These issues were addressed in Common Response No. 9, which can be found on pages 2-8 and 2-9 of the Final EIR. While the discussion included in Common Response No. 9 provides additional information regarding the aesthetics analysis, it does not alter the significance findings contained in the Draft EIR.

Impact: Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway. As described on page 4.1-13 of the Draft EIR, there are no City or County designated scenic resources (e.g., trees, rock outcroppings, and historic buildings) on the project site. Furthermore, there are no State-designated scenic highways surrounding the project site. Therefore, the proposed project would not substantially damage scenic resources, and no mitigation is required.

As described above, the City received several comments regarding the aesthetics analysis included in Section 4.1, Aesthetics, of the Draft EIR. These issues were addressed in Common Response No. 9, which can be found on pages 2-8 and 2-9 of the Final EIR. While the discussion included in Common Response No. 9 provides additional information regarding the aesthetics analysis, it does not alter the significance findings contained in the Draft EIR.

Impact: Substantially degrade the existing visual character or quality of the site and its surroundings. As described on page 4.1-14 of the Draft EIR, construction of the proposed project would involve on-site construction activities that would be visible to adjacent land uses. Construction activities for the proposed project would occur in five phases over the course of 10 years. During demolition, grading, and construction activities, the on-site construction area would be surrounding by

temporary construction fencing thereby minimizing potential impacts to visual surroundings during construction.

As described on pages 4.1-14 through 4.1-20 of the Draft EIR, operation of the proposed project would alter the existing visual character and quality of the proposed project site. However, the proposed project would be designed to a height and scale consistent with existing development to remain on the project site and development surrounding the project site. Additionally, the proposed project would be designed in the Mediterranean style, also consistent with surrounding development. Therefore, development of the proposed project would not substantially degrade the existing visual character or quality of the project site and its surroundings, and no mitigation is required.

As described above, the City received several comments regarding the aesthetics analysis included in Section 4.1, Aesthetics, of the Draft EIR. These issues were addressed in Common Response No. 9, which can be found on pages 2-8 and 2-9 of the Final EIR. While the discussion included in Common Response No. 9 provides additional information regarding the aesthetics analysis, it does not alter the significance findings contained in the Draft EIR.

Impact: Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area. As described on page 4.1-20 of the Draft EIR, construction of the proposed project would occur only during daylight hours; therefore, construction activities would not adversely impact day or nighttime views in the area.

As described on pages 4.1-20 and 4.1-21 of the Draft EIR, the proposed project would introduce new lighting to the project site from architectural exterior lighting, parking area lighting, and interior window spillage. However, the additional light would be similar to light associated with existing on-site buildings and other adjacent buildings and, as such, would not alter the character of the area. Furthermore, nighttime lighting associated with the proposed project would be similar to existing nighttime lighting associated with the existing church facilities. In addition, the proposed project would comply with lighting standards established by the City's Zoning Code. Therefore, implementation of the proposed project would have a less than significant impact related to light and glare, and no mitigation is required.

As described above, the City received several comments regarding the aesthetics analysis included in Section 4.1, Aesthetics, of the Draft EIR. These issues were addressed in Common Response No. 9, which can be found on pages 2-8 and 2-9 of the Final EIR. While the discussion included in Common Response No. 9 provides additional information regarding the aesthetics analysis, it does not alter the significance findings contained in the Draft EIR.

Impact: Result in a cumulative aesthetic impact. As described on pages 4.1-21 and 4.1-22 of the Draft EIR, none of the cumulative projects would be located adjacent to the project site. Therefore, the proposed project, when considered in conjunction with these projects, would not have the potential to cumulatively contribute to an increase of nighttime lighting within the project vicinity. In addition, because the project site is located in developed area and is consistent with the style, massing, and character of surrounding development, the contribution of the proposed project to potential cumulative aesthetics impacts in the City is considered less than cumulatively significant, and no mitigation is required.

As described above, the City received several comments regarding the aesthetics analysis included in Section 4.1, Aesthetics, of the Draft EIR. These issues were addressed in Common Response No. 9, which can be found on pages 2-8 and 2-9 of the Final EIR. While the discussion included in Common

Response No. 9 provides additional information regarding the aesthetics analysis, it does not alter the significance findings contained in the Draft EIR.

Air Quality.

Impact: Conflict with or obstruct implementation of the applicable air quality plan. As described on pages 4.2-15 and 4.2-16 of the Draft EIR, the proposed project is consistent with the City's General Plan, which is consistent with the Southern California Association of Governments (SCAG) Regional Comprehensive Plan (RCP) Guidelines and the South Coast Air Quality Management District (SCAQMD) Air Quality Management Plan (AQMP).

As described on page 4.2-16 of the Draft EIR, the proposed project would result in short-term construction and long-term pollutant emissions that are less than the CEQA significance emissions thresholds established by the SCAQMD; therefore, the proposed project would not result in an increase in the frequency or severity of any air quality standards violation, and would not cause a new air quality standard violation.

As described on page 4.2-16 of the Draft EIR, the CEQA Air Quality Handbook indicates that consistency with AQMP growth assumptions must be analyzed for new or amended General Plan Elements, Specific Plans, and significant projects. The proposed project involves the replacement and expansion of the existing South Shores Church facilities; therefore, the proposed project would be not defined as a significant project. The proposed project is consistent with the City's General Plan and the regional AQMP, and no mitigation is required.

Impact: Violate any air quality standard or contribute to an existing or projected air quality violation.

Construction. As described on pages 4.2-16 through 4.2-19 of the Draft EIR, construction emissions associated with the proposed project are not anticipated to exceed the SCAQMD daily emissions thresholds. However, the proposed project may result in impacts associated with fugitive dust. Therefore, with implementation of the required construction emissions control measures required in Standard Conditions 4.2.1 and 4.2.2, project impacts related to fugitive dust during construction would be reduced to a less than significant level, and no mitigation is required.

Operation. As described on pages 4.2-19 and 4.2-20 of the Draft EIR, the proposed project would result in net increases in both stationary- and mobile-source emissions. Operation of the proposed project would not exceed any corresponding SCAQMD daily operational emission threshold for any criteria pollutant. Therefore, project-related long-term air quality impacts would be less than significant, and no mitigation is required.

Standard Condition 4.2.1: South Coast Air Quality Management District (SCAQMD) Rule 403 Measures. The proposed project would be required to implement the following SCAQMD measures:

- Apply nontoxic chemical soil stabilizers shall be applied to all inactive construction areas (previously graded areas inactive for 10 days or more) according to manufacturers' specifications.
- Active sites shall be watered at least twice daily (locations where grading is to occur will be thoroughly watered prior to earthmoving).

- All trucks hauling dirt, sand, soil, or other loose materials are to be covered or should maintain at least 2 feet of freeboard in accordance with the requirements of California Vehicle Code (CVC) Section 23114 (freeboard means vertical space between the top of the load and the top of the trailer).
- Construction access roads shall be paved at least 30 meters (m) (100 ft) onto the site from the main road.
- Traffic speeds on all unpaved roads shall be reduced to 15 miles per hour (mph) or less.
- Recycle/reuse at least 50 percent of the construction material (including, but not limited to, soil, mulch, vegetation, concrete, lumber, metal, and cardboard).
- Use "green building materials" such as those materials that are rapidly renewable or resource efficient, and recycled and manufactured in an environmentally friendly way, for at least 10 percent of the project, as defined on the California Department of Resources Recycling and Recovery (CalRecycle) website.

Standard Condition 4.2.2: Title 24. The proposed project would be required to comply with Title 24 of the California Code of Regulations (CCR) established by the California Energy Commission (CEC) regarding energy conservation and green building standards, including, but not limited to, green measures concerning project site design, water use reduction, improvement of indoor air quality, and conservation of materials and resources.

Impact: Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is nonattainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors).

Construction. As described on page 4.2-21 of the Draft EIR, daily regional construction emissions would not exceed the daily thresholds of any criteria pollutant emission thresholds established by the SCAQMD. Therefore, the proposed project would not result in significant short-term air quality impacts during construction due to exceedances of the daily thresholds of any criteria pollutant emission thresholds. Architectural coatings contain volatile organic compounds (VOCs) that are similar to reactive organic compounds (ROCs) and are part of the ozone (O_3) precursors. Project construction would not exceed the SCAQMD VOC threshold of 75 pounds per day (lbs/day). Therefore, construction of the proposed project would not result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard, and no mitigation is required.

Operation. As described on page 4.2-21 of the Draft EIR, operation of the proposed project would not exceed any corresponding SCAQMD daily operational emission threshold for any criteria pollutant. Consequently, the proposed project has been determined to be consistent with the regional AQMP. Therefore, operation of the proposed project would not result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard, and no mitigation is required.

Impact: Expose sensitive receptors to substantial pollutant concentrations.

Localized Construction Emissions. As described on pages 4.2-21 through 4.2-24 of the Draft EIR, sensitive receptors nearest to the project site are the existing residences, the Monarch Bay Villas, which are located adjacent to the project site. The emissions of the pollutants on the peak day of construction would result in concentrations of pollutants at these nearest residences that are all below the SCAQMD thresholds of significance. To mitigate fugitive dust emissions, the project would be required to comply with SCAQMD standard conditions and Rule 403, as specified in Standard Conditions 4.2.1 and 4.2.2. Fugitive dust emissions would be 4.9 lbs/day for particulate matter less than 10 microns in size (PM_{10}) and 3.4 lbs/day for particulate matter less than 2.5 microns in size ($PM_{2.5}$), and would be below the SCAQMD thresholds. Therefore, with implementation of Standard Conditions 4.2.1 and 4.2.2, no significant impacts to sensitive receptors related to fugitive dust during project construction would occur, and no mitigation is required.

Carbon monoxide (CO) and nitrogen oxides (NO_X) emissions during construction would not exceed SCAQMD thresholds. Furthermore, these levels of CO and NOX at sensitive receptors in the vicinity of the proposed project would be equivalent to the ambient levels of the region. Therefore, the project construction would result in less than significant air quality impacts related to CO and NO_X emissions, and no mitigation is required.

Localized Operational Emissions. As described on page 4.2-24 of the Draft EIR, the maximum emissions anticipated from operation of the proposed project would not cause, or contribute to, an exceedance of the most stringent applicable federal or State ambient air quality standards (AAQS). Therefore, operation of the proposed project would not result in a significant impact on local air quality related to CO, NOX, or other criteria pollutants and would not expose sensitive receptors to substantial pollutant concentrations, and no mitigation is required.

Long-Term Microscale (CO Hot-Spot Analysis). As described on pages 4.2-24 and 4.2-25 of the Draft EIR, given the extremely low level of CO concentrations in the vicinity of the project site, project-related vehicles would not be expected to result in the CO concentrations exceeding the State or federal CO standards. Because no CO hot spot would occur, there would be no project-related impacts on CO concentrations, and no mitigation is required.

Impact: Create objectionable odors affecting a substantial number of people.

Construction. As described on page 4.2-25 of the Draft EIR, odors associated with heavy-duty equipment utilized in the vicinity of the project site during construction would be intermittent and would also cease to occur after construction is completed. Therefore, impacts related to objectionable odors affecting a substantial number of people are considered temporary and less than significant, and no mitigation is required.

Operation. As described on page 4.2-25 of the Draft EIR, the proposed uses of the new building areas are not anticipated to emit any objectionable odors. Therefore, objectionable odors posing a health risk to potential on-site and existing off-site uses would not occur as a result of the proposed project. Impacts related to objectionable odors affecting a substantial number of people are considered less than significant, and no mitigation is required.

Impact: Result in a cumulative air quality impact. As described on page 4.2-26 of the Draft EIR, construction of the proposed project has the potential to contribute to short-term air quality impacts. However, criteria pollutant emissions during construction of the proposed project would not exceed the SCAQMD emission thresholds for any criteria pollutants. With implementation of Standard Conditions 4.2.1 and 4.2.2, short-term air quality impacts would be reduced to a less than significant level, and no

mitigation is required. Therefore, the proposed project would not result in a significant short-term cumulative impact.

As described on page 4.2-26 of the Draft EIR, operation of the proposed project would not exceed SCAQMD's thresholds and would not contribute to long-term air quality impacts. Therefore, the proposed project's impacts related to air quality emissions, when considered in combination with the cumulative projects in the project vicinity would not be cumulatively significant, and no mitigation is required.

Cultural Resources.

Impact: Cause a substantial adverse change in the significance of a historical resource pursuant to State CEQA Guidelines Section 15064.5. As described on page 4.4-11 of the Draft EIR, the Cultural Resources Assessment prepared for the proposed project did not identify historical resources on site, and the property does not contain any local, State or federally listed historical resources, or resources eligible for listing. The proposed project will have a less than significant impact on historical resources, and no mitigation is required.

Geology and Soils.

Impact: Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:

i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault. As described on page 4.5-10 of the Draft EIR, there are no known active or potentially active faults crossing the project site. The closest active fault is the Newport-Inglewood fault, located approximately 3 miles from the project site. As the project site is not located in an Alquist-Priolo Earthquake Fault Zone and there is no evidence of active faulting on or around the immediate project site, the potential for ground rupture to affect the proposed project site is considered to be les s than significant, and no mitigation is required.

Impact: Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:

iii) Seismic-related ground failure, including liquefaction. As described on page 4.5-11 of the Draft EIR, the project site is not located within an area of potential liquefaction, and is not considered to have a potential risk for lateral spreading, subsidence, or soil collapse. Therefore, potential impacts associated with seismically induced ground failure and liquefaction would be very low and are considered to be a less than significant impact. No mitigation is required.

Greenhouse Gas Emissions.

Impact: Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment.

Construction. As described on pages 4.6-10 through 4.6-11 of the Draft EIR, the increase in greenhouse gas (GHG) emissions from construction of the proposed project would occur over the short term, consisting primarily of emissions from equipment exhaust. The only GHG with well-studied emissions characteristics and published emissions factors for construction equipment is carbon dioxide (CO2). The potential total construction GHG emissions of 2,061 metric tons (MT) of carbon dioxide

equivalent (CO2e) from construction of the proposed project would be less than the SCAQMD interim tiered GHG emissions threshold for mixed-use projects (land use category most applicable to the proposed Church use) of 3,000 tons per year (tpy) of CO2e (Tier 3). Therefore, construction of the proposed project would not result in significant generation of GHGs, either directly or indirectly, would not have a significant impact on the environment due to GHG emissions, and no mitigation is required.

Operation. As described on pages 4.6-11 through 4.6-14 of the Draft EIR, it is anticipated that there would be long-term emissions associated with operation of the proposed project. Direct and indirect GHG emissions of CO2e related to operation of the proposed project would total 1,500 MT of CO2e (which equals 0.0015 million metric tons [MMT] of CO2e/yr), and is 650 MT of CO2e/yr more than the existing conditions. For comparison, the existing emissions from the entire SCAG (2010) region are estimated to be approximately 224.6 MMT of CO2e/yr, and the existing emissions for the entire State (2008) are estimated to be approximately 480.9 MMT of CO2e/yr. The new buildings constructed in accordance with current energy efficiency standards would be more energy efficient than older buildings per several new Building Codes in California.

The total net increase in GHG emissions of 650 tpy of CO2e from the proposed project from both direct and indirect sources, would be less than the SCAQMD interim tiered GHG emissions threshold for mixed-use projects (land use category most applicable to the proposed Church use) of 3,000 tpy of CO2e (Tier 3). Therefore, the operation proposed project would not result in significant generation of GHGs, either directly or indirectly, would not have a significant impact on the environment due to GHG emissions, and no mitigation is required.

Impact: Conflict with any applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases. As described on page 4.6-14 of the Draft EIR, because the GHG emissions reduction goals in Assembly Bill (AB) 32 are scoped to manage total statewide GHG emissions of approximately 448 MMT of CO_2e/yr, the total GHG emissions of 0.0015 MMT of CO_2e/yr from the proposed project, less than 0.001 percent of the State total, are not anticipated to result in GHG emission levels that would substantially conflict with implementation of the GHG reduction goals under AB 32 or other State regulations. Furthermore, the proposed project would be consistent with the City's General Plan Conservation/Open Space Element (1991) goal of reducing air pollution through land use, transportation and energy use planning (Goal 5) through compliance with Project Design Feature 4.6.1, which will ensure that the proposed project complies with, and would not conflict with, or impede, the implementation of reduction goals identified in AB 32, the Governor's Executive Order (EO) S-3-05, and other strategies to help reduce GHGs to the level proposed by the Governor. No mitigation is required.

Project Design Feature 4.6.1: To ensure that the proposed project complies with and would not conflict with or impede the implementation of reduction goals identified in Assembly Bill (AB) 32, the Governor's Executive Order (EO) S-3-05, and other strategies to help reduce greenhouse gases (GHGs) to the level proposed by the Governor, the project will implement a variety of measures that will further reduce its greenhouse gas (GHG) emissions. To the extent feasible, and to the satisfaction of the City of Dana Point (City), the following measures will be incorporated into the design and construction of the project (including specific building projects):

- Divert at least 50 percent of the demolished and/or grubbed construction materials (including, but not limited to, soil, vegetation, concrete, lumber, metal, and cardboard).

- Design all project buildings to comply with the California Building Code's (CBC) Title 24 energy standard, such as installing energy-efficient heating and cooling systems, appliances and equipment, and control systems.
- Devise a comprehensive water conservation strategy appropriate for the project and its location.

Impact: Result in a cumulative greenhouse gas emissions impact. A project's GHG emissions and the resulting significance of potential impacts are more properly assessed on a cumulative basis. Thus, the project-specific analysis conducted for Thresholds 4.6.1 and 4.6.2 is essentially already a cumulative analysis because it takes into consideration statewide GHG reduction targets and demonstrates that the proposed project would be consistent with those targets.

As described on pages 4.6-17 of the Draft EIR, depending on construction schedules and actual implementation of projects in the area, generation of fugitive dust and pollutant emissions during construction could result in substantial short-term increases in air pollutants. However, each project would be required to comply with the SCAQMD's standard construction measures. Therefore, because the proposed project's short-term construction emissions would not exceed the significance thresholds, the proposed project would not result in a significant short-term cumulative impact on GCC.

As described on page 4.6-17 of the Draft EIR, the proposed project's long-term operational emissions would not exceed the SCAQMD's thresholds. The total net increase in GHG emissions of 650 tpy of CO_2e from the proposed project would be less than the SCAQMD interim tiered GHG emissions threshold for mixed-use projects (land use category most applicable to the proposed Church use) of 3,000 tpy of CO_2e (Tier 3). Because the proposed project is consistent with the SCAQMD's thresholds and because the project's impacts alone would not cause or significantly contribute to GCC, project-related CO_2e emissions and their contribution to GCC impacts in the State of California would not make a significant contribution to cumulatively considerable GHG emission impacts. Therefore, the proposed project would not result in a significant long-term cumulative impact, and no mitigation is required.

Hazards and Hazardous Materials.

Impact: Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. As described on page 4.7-18 of the Draft EIR, the proposed project would provide adequate access for emergency vehicles and would meet all design requirements established by the Orange County Fire Authority (OCFA). Furthermore, the proposed project would not include design features that would physically interfere with emergency response or evacuation. Therefore, implementation of the proposed project would not impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan and impacts are considered less than significant, and no mitigation is required.

Impact: Expose people or structures to a significant risk of loss, injury, or death involving wildfires, including where wildlands are adjacent to urbanized areas or where residents are intermixed with wildlands. As described on pages 4.7-18 and 4.7-19 of the Draft EIR, the project site is located within a developed area. However, open space characterized by natural vegetation on the hillside and landscaped grass areas associated with the Monarch Beach Golf Links abuts the project site. Therefore, there is a potential for a wildland fire to occur near the project site. However, because the proposed project would be designed in compliance with OCFA design requirements and a Fuel

Modification Plan would be prepared for the project site, impacts related to wildland fires would be less than significant, and no mitigation is required.

Hydrology and Water Quality.

Impact: Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted).

Construction. As described on page 4.8-18 of the Draft EIR, due to the depth to groundwater on site (greater than 90 ft bgs), groundwater dewatering during construction would not be required. The volume of any displaced groundwater would be minor. In addition, grading and construction activities would compact soil and construction of structures would increase impervious area, which can decrease infiltration during construction. However, construction activities would be temporary, and the reduction in infiltration would not be substantial. In addition, due to the depth to groundwater, any reduction in infiltration would not impact groundwater recharge. Therefore, construction impacts related to groundwater supplies would be less than significant, and no mitigation is required.

Operation. As described on page 4.8-18 of the Draft EIR, operation of the project would not require groundwater extraction. The proposed project would increase impervious surface area by 1.25 ac, which would reduce infiltration. However, the reduction in infiltration would not be substantial, and due to the depth to groundwater, any reduction would not impact groundwater recharge. Therefore, operational impacts related to groundwater supplies would be less than significant, and no mitigation is required.

Impact: Result in increased impervious surfaces and associated increased runoff; or

Impact: Create a significant adverse environmental impact to drainage patterns due to changes in runoff flow rates or volumes. As described on page 4.8-22 of the Draft EIR, the project would increase impervious area by 1.25 ac, which could increase the runoff volume and velocity from the site. (This impervious area was reduced in the revised Alternative 2 scenario to 0.87 acres noted in the Preliminary Water Quality Management Plan Appendix page 3.) However, the underground detention basin and revised drainage system would reduce peak flow to below that of existing conditions. Therefore, project impacts related to increased impervious surfaces and associated runoff or changes in runoff flow rates or volume would be less than significant, and no mitigation is required.

The City received several comments claiming that various drainage features and conditions occurring on the project site were/are causing unlawful erosion and sedimentation deposits into storm drain facilities which ultimately discharge into Salt Creek. Several of these comments suggested the Applicant has failed to properly maintain the existing drainage system and that the existing drainage system is insufficient to accommodate existing runoff from the project site and surrounding properties. While most of these comments relate to the maintenance of existing storm water facilities, some comments also suggested that runoff from the proposed project would exceed the capacity of the existing and proposed drainage system serving the project site, resulting in erosion, sedimentation, landslide risks, and degraded water quality. These issues were addressed in Common Response No. 6, which can be found on pages 2-5 through 2-7 of the Final EIR.

As described in Common Response No. 6, the *Master Plan Hydrology Report* by Adams-Streeter, dated February 29, 2012, included in the Draft EIR, shows that, under existing conditions, the project site has

a total peak flow contribution to the Salt Creek watershed of approximately 26.1 cubic feet per second (cfs) for the 25-year storm and 33.2 cfs for the 100-year storm. (This was addressed further for Revised Alternative 2 in the Supplemental Hydrology Report Appendix page 5 Table A-1 to note the peak flow was reduced from 26.6 cfs to 11.3 cfs fro the 25 year storm and from 33.9cfs to 14.4 cfs fro the 110 year storm.) Common Response No. 6 also notes that the proposed project will, in fact, reduce the amount of sedimentation, if any, that flows off the project site and will, in fact, improve water quality compared to existing conditions and per the requirements of both State and federal law. While the discussion included in Common Response No. 6 provides additional information regarding the hydrology and water quality analysis, It does not alter the significance findings contained in the Draft EIR.

Land Use and Planning.

Impact: Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating and environmental effect.

Southern California Association of Governments Regional Comprehensive Plan. As described on page 4.9-19 of the Draft EIR, based on the criteria contained in the State CEQA Guidelines and SCAG's Intergovernmental Review Criteria List, the proposed project is not a project of regional significance. Therefore, the proposed project would not result in impacts related to regional planning issues, and no mitigation is required.

The RCP aims to reduce emissions and increase mobility through strategic land use changes. However, because the proposed project is a replacement and expansion of existing church facilities and would not alter the existing land uses on the project site, these RCP strategies are not applicable to the proposed project. No mitigation is required.

City of Dana Point Local Coastal Program. As described on page 4.9-19 of the Draft EIR, the proposed project would be consistent with all major components of the City's Local Coastal Program (LCP). Therefore, no potential conflicts with the adopted LCP would occur, and no mitigation is required.

General Plan Consistency. As described on page 4.9-20 of the Draft EIR, the proposed project would not result in conflicts with the current Community Facilities (CF) General Plan land use designation for the project site because the proposed project includes the replacement and expansion of existing on-site church facilities. The proposed project would also be consistent with all applicable policies in the City's General Plan Public Safety, Circulation, Noise, and Public Facilities/Growth Management Elements and most applicable goals and policies contained in the City's General Plan Land Use and Conservation/Open Space Elements. Implementation of the project would result in the preservation and removal of coastal sage scrub on the project site. However, as described in Section 4.3, Biological Resources, of this Draft EIR, payment of in-lieu fees as outlined by the Orange County NCCP/HCP would mitigate impacts associated with the loss of on-site coastal sage scrub to a less than significant level. As such, the proposed project would be consistent with several goals and policies contained in the City's General Plan Land Use and Conservation/Open Space Elements that encourage the preservation of sensitive habitat and natural vegetation (i.e., coastal sage scrub). Therefore, impacts related to potential conflicts with the City's General Plan are anticipated to be less than significant, and no mitigation is required.

City of Dana Point Municipal Code. As described on page 4.9-20 of the Draft EIR, the proposed project would replace and expand existing church facilities on the project site, but would require a CUP related to the religious uses. With approval of a CUP for the religious uses, the proposed project would not result in a conflict with the existing CF zoning designation on the project site. In addition, due to the fact that the proposed project is located within the City's Coastal Overlay District, a Coastal Development Permit is required for the proposed project. Therefore, once the Coastal Development Permit of the proposed project is approved by the City's Planning Commission, the project would be consistent with this provision in the City's Municipal Code.

The proposed project would also require a CUP to allow for the proposed off-site shared parking program that would be in effect during construction phases of the proposed project including periods of time between construction phases, and to allow shared parking on the site following completing on the proposed project. With approval of the CUPs related to the off-site shared parking program prior to project completion and the on-site shared parking after the completion of the proposed project, the project would be consistent with the City's Municipal Code.

The proposed project would require a variance because the building height proposed for the Community Life Center building would exceed the allowable building heights in the City's Municipal Code. With approval of the requested height variance, the proposed project would be consistent with the City's Municipal Code.

City of Dana Point Zoning Code. As described on page 4.9-32 of the Draft EIR, the project site is zoned CF. The CF zoning district allows for a variety of community facility uses, including religious uses, with the approval of a CUP. Therefore, because the proposed project includes the replacement and expansion of existing church facilities within the project site, the proposed project would be consistent with the City's zoning district for the project site with the approval of a CUP. A CUP is also required for the approval of shared parking program during construction phases of the project and an on-site shared parking program after the project completion.. The proposed project would require a variance to allow for the proposed building height of 35 ft for the Community Life Center, which would be developed at a height greater than the established height limitations for the CF zoning district. Therefore, approval of the building height variance would ensure the proposed project's consistency with the City's established development standards, and no mitigation would be required.

The City received several comments suggesting that the proposed project would not comply with the City's development standards of zoning code, and that this would result in structures incompatible with the existing size and scale of structures in the surrounding community. Many of the underlying concerns of commenters regarding the description of the Parking Structure appeared to relate to the height and massing of the Parking Structure in relation to surrounding development rather than its gross floor area. The second and third paragraphs on page 3-13 of the Draft EIR provide information regarding the height of the proposed Parking Structure. The third paragraph on page 4.1-14 of the Draft EIR notes that the height and massing associated with the proposed project would be an increase from the existing structures on the project site, but would not be visually inconsistent with the heights and massing of the current development in the surrounding area, which is generally characterized by low- to medium-density uses comprising one and two-story buildings. Further, it should be noted that the setbacks for the Parking Structure meet, and exceed, the development standards for the project site. These issues were addressed in Common Response No. 11, which can be found on pages 2-10 and 2-11 of the Final EIR.

Common Response No. 11 notes that the proposed project would maintain a Floor Area Ratio (FAR) of 0.34:1, which is below the City's "standard" allowable FAR of 0.4:1 in the Community Facilities (CF) zone (a maximum of 1.0:1 is permissible under certain circumstances, but generally the maximum

is 0.4:1). Common Response No. 11 also notes that the proposed project's building height would require a variance due to the Community Life Center exceeding the height limit by 14 feet (ft).

As described in Section 4.1, Aesthetics, all new buildings constructed as part of the proposed project would be constructed in the Mediterranean style of architecture and would be developed at a scale and mass consistent with the existing Sanctuary and the surrounding neighborhood. The height and massing associated with the proposed project would be an increase from the existing structures on the project site, but the proposed project would not be visually inconsistent with the heights and massing of the current development comprised of one and two-story buildings. While the discussion included in Common Response No. 11 provides additional information regarding the land use and planning analysis, it does not alter the significance findings contained in the Draft EIR.

Impact: Result in a cumulative land use and planning impact. As described on pages 4.9-32 and 4.9-33 of the Draft EIR, the proposed project would include land uses that would be compatible with and would serve the surrounding neighborhoods. Therefore, the proposed project would not contribute to a pattern of development that adversely impacts adjacent land uses or conflicts with existing church facilities on site or surrounding land uses. There are no incompatibilities between the proposed project and planned future projects in the City, which primarily include residential developments. In addition, all identified City-related projects would be reviewed for consistency with adopted land use plans and policies by the City. For this reason, the related projects are anticipated to be consistent with applicable General Plan and zoning requirements, or would be subject to allowable exceptions; further, they would be subject to CEQA, mitigation requirements, and design review. Therefore, the proposed project would not contribute a significant cumulative land use compatibility impact in the study area, and no mitigation is required.

Noise.

Impact: Expose persons to or generate noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies.

Short-Term Construction-Related Impacts. As described on pages 4.10-12 through 4.10-14 of the Draft EIR, the nearest residential uses to the south of the project site would potentially be exposed to construction noise up to 94 A-weighted decibels (dBA) maximum instantaneous noise level (L_{max}) during the Phase 1A construction period, when the Preschool/Administration building is being constructed. However, construction of the proposed Preschool/Administration building would not be continuous over the entire Phase 1A period. Residential uses approximately 200 ft to the north of the construction area on the project site would be exposed to construction noise up to 78 dBA L_{max} during construction of Phase 1C and Phase 2, when the Community Life Center building and Christian Education Building 1 are being constructed. Compliance with Standard Condition 4.10.1 would reduce short-term construction-related noise impacts resulting from the proposed project to a less then significant level. No mitigation is required.

Long-Term Operational Noise Impacts.

On-Site Stationary Source Noise Impacts. As described on page 4.10-14 of the Draft EIR, the majority of activities at the Church facilities are conducted inside the buildings and would not create significant noise impacts on surrounding land uses.

Children's Play Areas. As described on pages 4.10-14 and 4.10-15 of the Draft EIR, following the completion of Phase 3, the proposed play areas would be located to the north and east of the Christian Education buildings and at least 300 ft away from existing residences to the south and north. The distance attenuation would reduce noise from the play areas by 16 dBA. Therefore, the

proposed project would result in less than significant impacts related to noise from the proposed play areas on the project site following completion of Phase 3, and no mitigation is required.

During Phases 1B, 1C, 2, and 3, however, the children's play area would be located in the parking lot in front of the Preschool/Administration building, an area that is approximately 200 ft from the centerline of Crown Valley Parkway and approximately 147 ft from the nearest residences to the south of the project site. At this distance, the projected traffic noise level would be 63 dBA CNEL, which is less than the City's 65 dBA CNEL exterior noise level recommended for outdoor activity areas. Therefore, the proposed project would result in less than significant traffic noise impacts on the proposed play areas on the project site during Phases 1B, 1C, 2, and 3, and no mitigation is required.

Currently, the existing Preschool is licensed to accommodate 86 preschool children per day. However, the project applicant has indicated that no more than 30 students are on the playground at the same time because outdoor play is staggered. The maximum noise levels associated with 30 students playing in the temporary play area would be 64.25 dBA Leq and 75.55 dBA L_{max} measured at 50 ft.

The temporary play area would be approximately 147 ft from the nearest residences to the south. At this distance, the noise level would be reduced by 9 dBA from the noise level measured at 50 ft. This noise attenuation will reduce the maximum on-site play area noise to 55.25 dBA L_{eq} and 66.55 dBA L_{max}. The 66.55 dBA maximum noise level would not exceed the City's 75 dBA L_{max} that is not to be exceeded at any time during the daytime hours for residential areas. In addition, the 55.25 dBA L_{eq} noise level averaged over that 30-minute recess time period would not exceed the City's 60 dBA L_{50} that is not to be exceeded for more than 15 minutes (but less than 30 minutes) in any hour during the daytime hours between 7:00 a.m. and 10:00 p.m. No mitigation is required.

Off-Site Stationary Source Noise Impacts. As described on page 4.10-16 of the Draft EIR, adjacent uses that could potentially be considered noise sources include the paved Salt Creek Trail and the Monarch Beach Golf Links golf course. However, noise levels from the Salt Creek Trail are below the City's exterior noise standards. Therefore, noise associated with the trail would not result in noise levels exceeding the typical standards at the nearest on-site outdoor activity area, and no mitigation is required. Representative golf course activity, noise would be reduced to 55 dBA L_{max} or lower, which would be a less than significant impact. No mitigation is required.

Standard Condition 4.10.1: Short-Term Construction-Related Noise Impacts. The following standard conditions are required of all development within the City of Dana Point (City) and would reduce short-term construction-related noise impacts resulting from the proposed project:

- During all project site excavation and grading, the project contractors should equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers consistent with manufacturers' standards.
- The project contractor should place all stationary construction equipment so that emitted noise is directed away from the relatively more sensitive receptors nearest the project site.
- The construction contractor should locate equipment staging in areas that will create the greatest distance between construction-related noise sources and relatively more noise-sensitive receptors nearest the project site during all project construction.
- The construction contractor shall limit all grading and equipment operations and all construction-related activities that would result in high noise levels (90 dBA or greater) to between the hours of

10:00 a.m. and 4:00 p.m., Monday through Friday. No high noise level construction activities shall be permitted outside of these hours or on Saturdays, Sundays, and federal holidays.

Impact: Expose persons to or generate excessive groundborne vibration or groundborne noise levels. As described on page 4.10-16 of the Draft EIR, it is unlikely that any activities occurring as a result of project implementation will expose the area to excessive groundborne vibration or groundborne noise levels. Potential noise impacts would result from typical construction activities, including grading necessary to excavate the site for subterranean parking and structural footings for the proposed structures, and caisson drilling to install the caissons and tieback system to provide structural stability to the site. Caisson drilling generates 0.089 in/sec vibration level at 25 ft; this level of vibration is much lower than the 0.2 in/sec threshold recommended for non-engineered timber and masonry buildings; engineered and reinforced buildings have higher thresholds for vibration. Therefore construction activities would not result in any significant vibration impacts on adjacent properties, which are located further than 25 ft from such activities. Further, no operational uses proposed would result in such impacts. Therefore, the proposed project would result in less than significant impacts with respect to groundborne vibration or noise, and no mitigation is required.

Impact: Result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project. As described on pages 4.10-24 and 4.10-25 of the Draft EIR, maximum combined noise levels from proposed project-related construction activities could reach up to 94 dBA L_{max} at the nearest residential uses to the south of the project site during the Phase 1A construction period, when the Preschool/Administration building is being constructed, and up to 78 dBA L_{max} at the nearest residential uses to the north of the project site during construction of Phase 1C and Phase 2, when the Community Life Center building and Christian Education Building 1 are being constructed.

In addition, during project construction drilling to install the proposed caissons and tieback system would generate 0.089 in/sec vibration level at 25 ft, which is significantly lower than the 0.2 in/sec threshold recommended for non-engineered timber and masonry buildings; engineered and reinforced buildings have higher thresholds for vibration. Therefore, construction activities would not result in any significant vibration impacts on adjacent properties, which are located further than 25 ft from such activities.

Construction of the proposed Preschool/Administration building would not be continuous over the entire Phase 1A period. Although this range of construction noise would be higher than the ambient noise, it would cease to occur once the construction of the Preschool/Administration building is completed. Based on the location and amount of construction equipment required, construction of other on-site buildings during subsequent phases would result in lower noise level increases at the residences to the south. Construction of other on-site buildings would result in lower noise level increases at the residences to the south. Construction would be limited to the hours specified in the City's Municipal Code and would comply with the City's standard conditions to reduce construction noise impacts. Compliance with the construction hours specified in the City's Noise Ordinance and Standard Condition 4.10.1 would reduce the proposed project's temporary increases in ambient noise levels in the proposed project vicinity to a less than significant level.

Existing residences to the east across the golf course are approximately 1,000 ft away from the project site. At this distance, noise levels would be reduced by 26 dBA when compared to the noise levels measured at 50 ft from the construction activity. Therefore, construction activity on the project site could potentially result in noise levels reaching 64 dBA L_{max} at the residences located to the east of the project site. Compliance with the construction hours specified in the City's Noise Ordinance would reduce the proposed project's construction noise impacts to a less than significant level.

Impact: Result in a cumulative noise impact. As described on pages 4.10-26 through 4.10-27 of the Draft EIR, construction of the proposed project has the potential to overlap with construction of one or more related projects. The closest related project is the Ritz Carlton Expansion project, approximately 0.75 mile south of the project site. Because construction and vibration are localized and rapidly attenuate within an urban environment, the related projects are located too far from the project site to contribute to cumulative impacts related to noise levels due to construction activities. Construction activity at any related project site would not result in a noticeable increase in noise to sensitive receptors adjacent to the project site. Furthermore, all related projects would be required to comply with the City's Noise Ordinance. Therefore, cumulative construction impacts would be less than significant. No mitigation is required.

Cumulative noise impacts could occur as a result of increased traffic volumes on local roadways due to future growth and increased development in the vicinity of the project site. An increase of 3.0 dBA CNEL at any roadway location is considered a significant impact. None of the roadway segments within the vicinity of the project site is expected to experience a noise level increase greater than 3.0 dBA CNEL. The proposed project's incremental contributions would be between 0.0 and 0.3 dBA along these roadway segments. Therefore, the proposed project would not contribute substantially to cumulative roadway noise impacts and would have a less than cumulatively considerable impact. No mitigation is required.

Public Services and Utilities.

Impact: Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for fire protection.

Construction. As described on page 4.11-17 of the Draft EIR, the City contracts with the OCFA for fire protection services. Overall, short-term demolition and construction activities would require minimal fire protection and are not expected to have any adverse impacts on existing fire protection. Therefore, impacts related to the provision of fire protection for the construction of the proposed project would be less than significant, and no mitigation is required.

Operation. As described on pages 4.11-17 and 4.11-18 of the Draft EIR, operation of the proposed project is expected to create the typical range of service calls for church facilities, including emergency medical and rescue service. The proposed project would be required to comply with all applicable building code requirements requiring fire protection devices, such as sprinklers, alarms per the 2013 California Fire Code (CFC) (Chapter 8.24 of the City's Municipal Code), adequately spaced fire hydrants, and fire access lanes. As required by Standard Condition 4.11.1, prior to the issuance of building permits, approval of the final plans (including all fire prevention and suppression systems) by the OCFA is required. Therefore, project impacts related to fire protection would be less than significant, and no mitigation is required.

Standard Condition 4.11.1 Orange County Fire Authority Plan Check. Prior to the issuance of building permits, approval of final building design plans (including all fire prevention and suppression systems) by OCFA is required. Approval of the final building design plans would ensure that the development is constructed pursuant to California Fire Code (CFC) requirements.

Impact: Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for police protection.

Construction. As described on page 4.11-18 of the Draft EIR, the City contracts with the Orange County Sheriff's Department (OCSD) for police protection services. Short-term demolition and construction activities would require minimal police protection and are not expected to have any adverse impacts on the existing available police protection. Therefore, impacts related to the provision of police protection for the construction of the proposed project would be less than significant, and no mitigation is required.

Operation. As described on page 4.11-18 of the Draft EIR, the proposed project is not anticipated to result in an increase in the demand of OCSD services within the City. No residential units are proposed as part of the project. The OCSD indicated that the proposed project would not substantially increase response times, or create a substantial increase in demand for staff, facilities, equipment, or police services, and that the OCSD would be able to adequately service the proposed project. Therefore, project impacts related to police protection would be less than significant, and no mitigation is required.

Impact: Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any other public transportation.

Construction. As described on page 4.11-18 of the Draft EIR, public transportation is provided within the project vicinity by the Orange County Transportation Authority (OCTA). Overall, short-term demolition and construction activities would require minimal use of public transportation, and they are not expected to have any adverse impacts on the existing available public transportation system. Therefore, impacts related to the provision of public transportation services for the construction of the proposed project would be less than significant, and no mitigation is required.

Operation. As described on page 4.11-19 of the Draft EIR, operation of the proposed project is not anticipated to result in an increase in the demand of OCTA services within the City. OCTA currently operates Route 85, that services the project site via Crown Valley Parkway, located immediately west of the project site. The proposed project would not include development of residential units, and ridership is not anticipated to increase as a result of the proposed project. OCTA does not anticipate that the proposed project would create a public transportation need that requires service expansion, and OCTA would be able to provide adequate services to the proposed project. Therefore, because existing routes in the vicinity of the project site are operating within capacity, and additional ridership is not anticipated to increase as a result of the proposed project, project impacts related to public transportation would be less than significant, and no mitigation is required.

Impact: Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects; or

Impact: Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed.

Construction. As described on page 4.11-24 of the Draft EIR, impacts associated with short-term demolition and construction activities would not require or result in the construction of new water treatment facilities or the expansion of existing facilities, and construction of the proposed project would not require the need for new or expanded water entitlements. No mitigation is required.

Operation. As described on page 4.11-24 and 4.11-25 of the Draft EIR, the total average daily water demand for the existing uses on the project site is estimated to be approximately 3,903,919 gpy. The proposed project would demand approximately 7,735,334 gpy of water, which would be approximately 3,831,415 gpy greater than the water demand of the existing uses on the project site. Because the water demand associated with the proposed project would represent 0.14 percent of the water supply in SCWD's service area in 2020, the proposed project would not necessitate new or expanded water facilities, and the SCWD would be able to accommodate the increased demand for potable water, and no mitigation is required.

Impact: Require or result in the construction of new water or *wastewater treatment* facilities or expansion of existing facilities, the construction of which could cause significant environmental effects; or

Impact: Result in a determination by the wastewater treatment provider which serves or may serve the project that it has inadequate capacity to serve the project's projected demand in addition to the provider's existing commitments.

Construction. As described on page 4.11-26 of the Draft EIR, no significant increase in wastewater flows is anticipated as a result of construction activities on the project site. Sanitary services during construction would likely be provided by portable toilet facilities, which transport waste off site for treatment and disposal. The development will be phased with existing wastewater facilities remaining in place as well. Therefore, during construction, potential impacts to wastewater treatment and wastewater conveyance infrastructure would be less than significant, and no mitigation is required.

Operation. As described on pages 4.11-26 and 4.11-27 of the Draft EIR and pages 3-9 and 3-10 of the Final EIR, the total average daily-generated wastewater for the existing project site is estimated to be approximately 3,861 gallons per day (gpd). The proposed project is estimated to generate approximately 7,907 gpd of wastewater, which would be approximately 4,046 gpd greater than the wastewater generated by the existing uses on the project site. The increase of wastewater generated by the proposed project is anticipated to be accommodated within the existing design capacity of the J.B. Latham Plant, which currently accepts 72.6 percent of its capacity. Although it is assumed that the available daily treatment capacity of the J.B. Latham Plant would be reduced over the next ten years as a result of increased demand for wastewater treatment associated future growth within the SOCWA, it is expected that the J.B. Latham Plant would have sufficient available daily capacity in 2024 to accommodate the treatment of the additional wastewater generated by the proposed project. Therefore, project impacts related to the construction of wastewater treatment or collection facilities and the capacity of the wastewater treatment provider are less than significant, and no mitigation is required.

Impact: Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for other public facilities.

Natural Gas.

Construction. As described on page 4.11-19 of the Draft EIR, overall, short-term demolition and construction activities would not require natural gas and are not expected to have any adverse impacts on the existing available natural gas supplies. Therefore, impacts related to the provision of natural gas for the construction of the proposed project would be less than significant, and no mitigation is required.

Operation. As described on pages 4.11-19 and 4.11-20 of the Draft EIR, operation of the proposed project is anticipated to result in an increase in long-term demand for natural gas. Southern California Gas Company (SoCalGas) currently provides service to the project site through existing gas lines along Crown Valley Parkway. SoCalGas would continue to provide natural gas to the project site upon build out of the project. The proposed project would generate a total natural gas demand of 1,862,437 cubic feet (cf) per year, which would be approximately 1,003,681 cf greater than the natural gas demand of the existing uses on the project site.

According to the California Energy Commission (CEC), SoCalGas has adequate planned pipeline and storage improvements to address future natural gas needs associated with implementation of the proposed project. Therefore, impacts related to the provision of natural gas for operation of the proposed project would be less than significant, and no mitigation is required.

Electricity.

Construction. As described on page 4.11-21 of the Draft EIR, overall, short-term demolition and construction activities would require minimal electricity and are not expected to have any adverse impacts on the existing available electricity supplies. Therefore, impacts related to the provision of electricity for the construction of the proposed project would be less than significant, and no mitigation is required.

Operation. As described on pages 4.11-21 and 4.11-22 of the Draft EIR, the project site is within the service territory of San Diego Gas & Electric Company (SDG&E). The proposed project would comply with State law regarding energy conservation measures, including pertinent provisions of Title 24 of the California Government Code, which covers the use of energy-efficient building standards. The proposed project would generate a total electricity demand of 985,131 kilowatt-hours (kWh) per year, which would be approximately 527,371 kWh greater than the electricity demand of the existing uses on the project site. Based on CEC projections for the SDG&E service area in 2024, the maximum project-related annual consumption would represent 0.003 percent of the forecasted net energy load. Therefore, impacts associated with the proposed project's electricity demand would be less than significant, and no mitigation is necessary.

Impact: Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects. As described on page 4.11-27 of the Draft EIR, in the existing condition, storm water runoff from the project site drains in a southeasterly direction, away from Crown Valley Parkway. The proposed project would result in a permanent increase in impervious surface area of 1.25 ac (an increase of 54 percent to 75 percent of the project site), which could increase the volume of runoff during a storm. (This impervious area was reduced in the revised Alternative 2 scenario to 0.87 acres noted in the Preliminary Water Quality Management Plan Appendix page 3. This also changes the increase in impervious area to 69% rather than 75%.) However, the proposed on-site detention basin would reduce peak runoff volumes from the current volume. Therefore, peak discharge would not adversely affect the capacity of downstream networks, and

construction or expansion of storm water drainage facilities would not be required. Therefore, impacts to storm water drainage facilities are less than significant, and no mitigation is required.

Impact: Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs.

Construction. As described on pages 4.11-27 and 4.11-28 of the Draft EIR, construction of the proposed project would generate a limited amount of construction debris; however, such debris would be accommodated by the Prima Deshecha Landfill. Additionally, the City's Construction and Demolition (C&D) Waste Ordinance (No.03-17) requires contractors and other construction-related persons to obtain a permit and haul at least 75 percent of their construction waste to a recycling facility certified by the City. Therefore, compliance with the City's C&D Waste Ordinance No. 03-17 would ensure that the proposed project would not result in significant impacts related to solid waste generation during construction, and no mitigation is required.

Operation. As described on page 4.11-28 of the Draft EIR, operation of the proposed project is anticipated to generate a total of approximately 475.31 tons per year (tpy), which equals approximately 2,604 lbs/day. Therefore, implementation of the proposed project would result in an increase of approximately 1,437 lbs of solid waste per day, compared to existing conditions. During operation, the proposed project is anticipated to generate 0.05 percent of the daily solid waste capacity of the Prima Deshecha Landfill. Therefore, impacts to solid waste generation during operation would be less than significant, and no mitigation is required.

Impact: Comply with federal, state, and local statutes and regulations related to solid waste.

As described on page 4.11-29 of the Draft EIR, the project site is located within the Orange County Waste and Recycling's (OCWR's) service area. OCWR has an adopted Countywide Integrated Waste Management Plan (CIWMP) that requires countywide facilities to meet the 15-year capacity requirements. In addition, the City is required by the Integrated Solid Waste Management Act (AB 939) to achieve a 50 percent diversion level with regard to solid waste disposed in landfills. The City supports the recommendations of the Waste Management Commission in its attempt to address barriers to achieving 50-percent diversion posed by "self-hauling." As a result, the City implemented a $19.00 AB 939 surcharge to the standard landfill disposal fee for self-hauled waste. Therefore, the proposed project would be required to comply with federal, State, and local statutes and regulations related to solid waste, and no mitigation is required.

Impact: Result in cumulative public service and utilities impacts. As described on pages 4.11-29 through 4.11-32 of the Draft EIR, the proposed project would contribute to cumulative local and regional demand for public services and utilities, including police and fire services, electricity, natural gas, wastewater, domestic water, storm water, and solid waste. For each public service and utility, the proposed project would generate increased demand in varying amounts. However, the impacts to public utilities and services would be incremental and within planned growth, and would be less than cumulatively significant. Therefore, no mitigation is required.

Transportation/Traffic.

Impact: Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways. As described on page 4.12-17 of the Draft EIR, Crown Valley Parkway and PCH are both designated as part of the Congestion Management Plan (CMP) Highway System. Because the proposed project does not directly access a

CMP facility, does not generate 2,400 or more daily trips, and would not result in, or contribute to, a significant impact on Crown Valley Parkway or PCH, the proposed project would not conflict with the Orange County CMP and impacts would less than significant. No mitigation measure is required.

Impact: Result in cumulative transportation/traffic impacts. As described on pages 4.12-20 through 4.12-23 of the Draft EIR, a future long-range analysis was prepared for the year 2025, which coincides with the year the Master Plan is anticipated to be completed. All study area intersections are anticipated to operate at satisfactory LOS (defined as LOS C or better for signalized intersections and LOS D or better for unsignalized intersections) with the addition of project traffic during the weekday and Sunday peak hours in the year 2025. Therefore, the proposed project would not result in, or contribute to, a cumulatively significant impact at any study area intersection. No mitigation is required.

C. ENVIRONMENTAL EFFECTS WHICH WERE DETERMINED TO BE LESS THAN SIGNIFICANT WITH MITIGATION

The Draft EIR identified (No new potentially significant impacts were called out in the Final EIR that were not already discussed in the Draft EIR) certain potentially significant effects that could result from the Master Plan project as proposed and analyzed in the Draft EIR (note: as discussed in the Introduction and later herein, the Applicant is now seeking approval of a reduced development Master Plan alternative that has impacts similar to but incrementally less than the impacts associated with the original proposed Master Plan). However, for each of the significant or potentially significant impacts identified in this section, based upon substantial evidence in the record, that changes or alterations could be incorporated into the proposed project that avoid or substantially lessen the significant effects as identified in the Draft EIR. As a result, adoption of the mitigation measures set forth below would reduce the identified significant effects to a less than significant level.

Biological Resources.

Impact: Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service. As described on pages 4.3-9 and 4.3-10 of the Draft EIR, focused surveys were conducted to determine the coastal California gnatcatcher's utilization of the habitat in the vicinity of the project site, and those surveys determined that the coastal California gnatcatcher at least occasionally utilizes the undisturbed coastal sage scrub in the lower northeastern corner of the project site. While no gnatcatchers were observed using the disturbed coastal sage scrub further up the slope on the project site, it is possible that gnatcatchers use this area as well (although it would be on the extreme edge of any gnatcatcher territories). However, per the Orange County Central and Coastal Natural Community Conservation Plan (NCCP)/Habitat Conservation Plan (HCP) in-lieu fee program, potential impacts to the coastal California gnatcatcher would be mitigated through implementation of Mitigation Measure 4.3.1, which requires the Applicant to pay an in-lieu fee to the Nature Reserve of Orange County (NROC) prior to impacting any coastal sage scrub or other identified habitat species. Further payment of these in-lieu fees would provide funding for land acquisition, weed control, soil preparation, planting native species, supplemental irrigation, and other activities aimed at restoring, establishing, enhancing, and/or preserving covered coastal sage scrub species in the NCCP/HCP area. The payment of in-lieu fees would reduce any impact to the coastal California gnatcatcher to less than significant levels.

Mitigation Measure 4.3.1: **Orange County Central and Coastal Subregion NCCP/HCP.** Prior to issuance of any demolition and/or grading permits, the project Applicant shall provide evidence to the City of Dana Point (City)

Community Development Director, or designee, of in-lieu fees paid to the Nature Reserve of Orange County (NROC). The exact acreage of impact shall be determined during final site plan review, and a letter report documenting the acreage of coastal sage scrub impacts and fee calculation with provision of the fee to the Nature Reserve of Orange County shall be provided to CDFW and the United States Fish and Wildlife Service. The in-lieu fees shall be based on $65,000 per impacted acre or the most current in-lieu fee amounts. These fees are considered mitigation within signatory agencies of the Natural Communities Conservation Plan (NCCP)/Habitat Conservation Plan (HCP) per the City's Section 10(a) permit. In addition, the NCCP/HCP requires implementation of the following construction minimization measures during the authorized removal of coastal sage scrub habitat. The project Applicant shall retain a qualified biological monitor to assist with the implementation of these measures as approved by the City Community Development Director, or designee, prior to issuance of any demolition or grading permit, or any impacts on the on-site sensitive habitat.

- All natural vegetation shall only be removed outside the coastal California gnatcatchers breeding season (February 15 through July 15).
- Prior to the commencement of grading operations or other activities involving significant soil disturbance, all areas of coastal sage scrub habitat to be avoided under the provisions of the NCCP/HCP shall be identified with temporary fencing or other markers clearly visible to construction personnel. Additionally, prior to the commencement of grading operations or other activities involving disturbance of coastal sage scrub, a survey shall be conducted to locate coastal California gnatcatchers and cactus wrens within 100 feet (ft) of the outer extent of projected soil disturbance activities, and the locations of any such species shall be clearly marked and identified on the construction/grading plans.
- A monitoring biologist, acceptable to USFWS/CDFW, shall be on site during any clearing of coastal sage scrub. The project Applicant or relevant public agency/utility shall advise USFWS/CDFW at least seven (7) calendar days (and preferably fourteen [14] calendar days) prior to the clearing of any habitat occupied by Identified Species to allow USFWS/CDFW to work with the monitoring biologist in connection with bird flushing/ capture activities. The monitoring biologist shall flush Identified Species (avian or other mobile Identified Species) from occupied habitat areas immediately prior to brush-clearing and earth-moving activities. If birds cannot be flushed, they shall be captured in mist nets, if feasible, and relocated to areas of the site to be protected or to the NCCP/HCP Reserve System. It shall be the responsibility of the monitoring biologist to assure that identified bird species shall not be directly impacted by brush-

clearing and earth-moving equipment in a manner that also allows for construction activities on a timely basis.

- Following the completion of initial grading/earth movement activities, all areas of coastal sage scrub habitat to be avoided by construction equipment and personnel shall be marked with temporary fencing or other appropriate markers clearly visible to construction personnel. No construction access, parking, or storage of equipment or materials shall be permitted within such marked areas.
- Coastal sage scrub identified in the NCCP/HCP for protection and located within the likely dust drift radius of construction areas shall be periodically sprayed with water to reduce accumulated dust on the leaves as recommended by the monitoring biologist.

Finding: This mitigation measure is feasible and would avoid or substantially reduce potentially significant impacts related to any species identified as a candidate, sensitive, or special-status species to a less than significant level for the reasons set forth on pages 4.3-9 and 4.3-10 of the Draft EIR.

Impact: Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or United States Fish and Wildlife Service. As described on pages 4.3-10 and 4.3-11 of the Draft EIR, implementation of the proposed project would result in the preservation of 0.12 ac of undisturbed coastal sage scrub and chaparral and the loss of approximately 0.18 acres (ac) of disturbed coastal sage scrub on the project site. Compliance with the provisions of the NCCP/HCP, as identified in Mitigation Measure 4.3.1, and implementation of Mitigation Measure 4.3.2, which requires the implementation of a landscape plan that does not include any invasive nonnative plant species pursuant to the California Invasive Plant Council Invasive Plant Inventory, would reduce project-related impacts to wildlife habitat on site to a less than significant level.

Refer to Mitigation Measure 4.3.1 above.

Mitigation Measure 4.3.2: **Avoidance of Invasive Nonnative Plant Species.** Prior to issuance of any grading or construction permits, the project Applicant shall provide a final landscape plan for review and approval by the City Community Development Director, or designee, and the City Public Works Director or designee. The final landscape plan shall not include any invasive nonnative plant species on site in association with landscaping and/or redevelopment of the site. For the purposes of this mitigation, invasive nonnative plants are considered those plant species rated as "High" or "Moderate" in the California Invasive Plant Council (CAL-IPC) Invasive Plant Inventory.

Finding. These mitigation measures are feasible and would avoid or substantially reduce potentially significant impacts related to riparian habitat or other sensitive natural community to a less than significant level for the reasons set forth on pages 4.3-10 and 4.3-11 of the Draft EIR.

Impact: Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites. As described on page 4.3-11 of the Draft EIR, the on-site

vegetation is dominated by exotic ornamental species that support a wide range of generalist wildlife species. However, there are no indications that the project site functions as a wildlife movement corridor. Additionally, the vegetation within the study area consists of upland vegetation, and there are no jurisdictional drainages or associated riparian habitat or adjacent wetlands within the study area. Therefore, implementation of the proposed project would not impact the movement of any native resident, migratory fish, wildlife species, species with established native resident, any migratory wildlife corridors, or impede the use of native wildlife nursery sites, and no mitigation is necessary.

Noise related to construction activities associated with the proposed project may have a significant adverse effect on nesting birds (including birds that nest in scrub habitat) by potentially disrupting normal nesting behavior in birds on site and/or immediately adjacent to the project site. Mitigation Measure 4.3.3 which requires pre-construction nesting bird surveys, would reduce potential construction impacts to nesting birds to a less than significant level.

Mitigation Measure 4.3.3: **Migratory Bird Treaty Act (MBTA).** In the event that project construction or grading activities occur within the active breeding season for birds (i.e., February 15 through August 15), a nesting bird survey shall be conducted by a qualified biologist prior to commencement of construction activities. If active nesting of birds is observed within 100 ft of the designated construction area prior to construction, the construction crew shall establish an appropriate buffer around the active nest. A qualified biologist shall determine the buffer distance based on the specific nesting bird species and circumstances involved. Once the designated project biologist verifies that the birds have fledged from the nest, the buffer may be removed. Prior to issuance of any grading or building permits, the City Community Development Director, or designee, shall verify that all project grading and construction plans include specific documentation regarding the requirements of the MBTA, that preconstruction surveys have been completed and the results reviewed by staff, and that the appropriate buffers (if needed) are noted on the plans and established in the field with orange snow fencing.

Finding. The mitigation measure is feasible and would avoid or substantially reduce potentially significant impacts related to the movement of any native resident or migratory fish or wildlife species to a less than significant level for the reasons set forth on page 4.3-11 of the Draft EIR.

Impact: Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance. As described on pages 4.3-12 through 4.3-14 of the Draft EIR, the goals and policies that apply to the proposed project from the Conservation/Open Space Element of the City of Dana Point's General Plan and the Municipal Code address the protection of sensitive habitat. As discussed under Threshold 4.3.1, implementation of the proposed project would comply with the Orange County Central and Coastal NCCP/HCP by contribution of in-lieu fees for mitigation. Furthermore, with implementation of Mitigation Measure 4.3.2, which prohibits invasive non-native landscaping and Mitigation Measure 4.3.3, which requires a nesting bird survey if project construction were to occur within the active breeding season (i.e., February 15 through August 15), the proposed project would not conflict with any local policies or ordinances protecting biological resources.

Refer to Mitigation Measures 4.3.1 through 4.3.3 above.

Finding: These mitigation measures are feasible and would avoid or substantially reduce potentially significant impacts related to conflicts with local policies or ordinances protecting biological resources to a less than significant level for the reasons set forth on pages 4.3-12 through 4.3-14 of the Draft EIR.

Impact: Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan. As described on page 4.3-14 of the Draft EIR, implementation of Mitigation Measure 4.3.1, which requires payment of in-lieu fees to the NROC in compliance with the terms and conditions of the Orange County Central and Coastal NCCP/HCP Implementation Agreement, serves as suitable mitigation for project-specific and cumulative impacts to native habitat and associated general wildlife on the project site and would ensure that the proposed project would not conflict with the existing NCCP/HCP.

Refer to Mitigation Measure 4.3.1 above.

Finding: This mitigation measure is feasible and would avoid or substantially reduce potentially significant impacts related to conflicts with the Orange County Central and Coastal NCCP/HCP to a less than significant level for the reasons set forth on page 4.3-14 of the Final EIR.

Impact: Result in a cumulative biological resources impact. As described on page 4.3-16 of the Draft EIR, compliance with the terms and conditions of the NCCP/HCP Implementation Agreement and payment of in-lieu fees would mitigate project-specific and cumulative impacts to native habitat and associated general wildlife on site (see Mitigation Measure 4.3.1). When viewed in the context of how much native habitat has already been conserved in Orange County as part of the NCCP/HCP, the quantity of native habitat on site that would be lost is not cumulatively considerable. Therefore, with Mitigation Measure 4.3.1, implementation of the proposed project would not result in potentially significant adverse cumulative impacts to native habitats and associated wildlife.

Refer to Mitigation Measure 4.3.1 above.

Finding: This mitigation measure is feasible and would avoid or substantially reduce the proposed project's cumulative contribution to potentially significant impacts related to biological resources to a less than significant level for the reasons set forth on page 4.3-16 of the Final EIR.

Cultural and Paleontological Resources.

Impact: Cause a substantial adverse change in the significance of an archaeological resource pursuant to State CEQA Guidelines Section 15064.5. As described on page 4.4-12 of the Draft EIR, no archaeological remains were observed on the project site, therefore, the likelihood of encountering previously unidentified intact subsurface cultural deposits within the project site is very low. The City's General Plan identifies the project site and immediate area (including the area where the site is located) as a "Culturally Sensitive Area." To ensure that no significant impacts occur in the event that unknown resources are discovered, implementation of Mitigation Measure 4.4.1 would require the City to retain a qualified archaeologist to establish, in cooperation with the project developer and the City, procedures for temporarily halting or redirecting work to facilitate evaluation of cultural resources that may be discovered during construction activities, and would reduce potential impacts to a less than significant level.

Mitigation Measure 4.4.1: **Archaeological Monitors.** Prior to issuance of grading permits, and in adherence to the recommendations of the cultural resources survey, the project Applicant shall retain a qualified archaeological monitor, subject to review and approval by the City of Dana Point (City)

Community Development Director, or designee. This monitor shall be present at the pregrade conference in order to explain the cultural mitigation measures associated with the proposed project. The monitor, in conjunction with the City and the project Applicant will prepare a plan.

Project personnel shall not collect or move any archaeological materials or human remains and associated materials. To the extent feasible, project activities shall avoid these deposits. Where avoidance is not feasible, the archaeological deposits shall be evaluated for their eligibility for listing in the California Register of Historic Places. If the deposits are not eligible, avoidance is not necessary. If the deposits are eligible, adverse effects on the deposits must be avoided, or such effects must be mitigated. Mitigation can include, but is not necessarily limited to, the following: excavation of the deposit in accordance with a data recovery plan (see California Code of Regulations Title 4(3) Section 5126.4(b)(3)(C)) and standard archaeological field methods and procedures; laboratory and technical analyses of recovered archaeological materials; production of a report detailing the methods, findings, and significance of the archaeological site and associated materials; curation of archaeological materials at an appropriate facility for future research and/or display; an interpretive display of recovered archaeological materials at a local school, museum, or library; and public lectures at local schools and/or historical societies on the findings and significance of the site and recovered archaeological materials.

Finding: This mitigation measure is feasible and would avoid or substantially reduce potentially significant impacts related to unknown archaeological resources discovered during project construction to a less than significant level for the reasons set forth on page 4.4-12 of the Draft EIR.

Impact: Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature. As described on pages 4.4-12 and 4.4-13 of the Draft EIR, the Cultural Resources Assessment prepared for the proposed project indicated that no paleontological resources have been recorded on the project site. According to a locality search conducted, the nearest fossil localities to the project site are from Salt Creek and also from exposures of the Monterey Formation nearer the coast. The project site is wholly underlain by the San Onofre Breccia; however, no fossil localities or suitable rock units were identified that would indicate there are significant fossil deposits within the project site. Implementation of Mitigation Measure 4.4.2 would reduce impacts to unknown (buried) paleontological resources to a less than significant level.

Mitigation Measure 4.4.2: **Paleontological Resources Impact Mitigation Program.** The Applicant shall retain a qualified paleontologist, subject to the review and approval of the City of Dana Point's (City) Community Development Director, or designee, to prepare a Paleontological Resources Impact Mitigation Program (PRIMP) for the proposed project prior to issuance of any grading permits. The PRIMP shall be consistent with the guidelines of the Society of Vertebrate Paleontology (SVP) and shall include, but not be limited to, the following:

- The paleontologist, or his/her representative, shall attend a preconstruction meeting.
- A qualified paleontological monitor working under the direction of an Orange County certified paleontologist shall "spot check" grading within the project site. Initially, spot checks are recommended for 2 to 3 hours twice per week during grading. If fossil resources are noted during the spot check, the monitoring level shall be increased to full time for the remaining duration of the grading.
- In the event that paleontological resources are encountered when a paleontological monitor is not present, work in the immediate area of the find shall be redirected and the paleontologist contacted to assess the find for scientific significance. The paleontologist shall make recommendations as to whether monitoring shall be required in these sediments on a full-time basis.
- Collected resources shall be prepared to the point of identification and permanent preservation in accordance with the recommendations of the *Paleontological Resources Assessment* (Appendix D). This includes washing and picking of mass samples to recover small vertebrate and invertebrate fossils and removal of surplus sediment around larger specimens to reduce the storage volume for the repository and the storage cost for the developer.
- Any collected resources shall be cataloged and curated into the permanent collections of an accredited scientific institution in accordance with the recommendations of the *Paleontological Resources Assessment*.

At the conclusion of the monitoring program, a report of findings with an appended inventory of specimens shall be prepared. When submitted to the City, the report and inventory shall signify completion of the program to mitigate impacts to paleontological resources in accordance with the recommendations of the *Paleontological Resources Assessment*.

Finding: The mitigation measure is feasible and would avoid or substantially reduce potentially significant impacts related to paleontological resources discovered during project construction to a less than significant level for the reasons set forth on pages 4.4-12 and 4.4-13 of the Draft EIR.

Impact: Disturb any human remains, including those interred outside of formal cemeteries. As described on page 4.4-13 of the Draft EIR, although no human remains are known to be on site or are anticipated to be discovered during project construction, precautionary mitigation is required to ensure that the proposed project does not impact or disturb any human remains during construction activities. Implementation of Mitigation Measure 4.4.3, which requires compliance with Health and Safety Code (HSC) 7050.5 in the unlikely event that human remains are encountered during project grading, would reduce potential impacts related to the discovery of human remains on the project site to a less than significant level.

Mitigation Measure 4.4.3: **Human Remains.** Consistent with the requirements of CCR Section 15064.5(e), if human remains are encountered during site disturbance, grading, or other construction activities on the project site, work within 25 feet of the discovery shall be redirected and the County of Orange (County) Coroner shall be notified immediately. No further disturbance shall occur until the County Coroner has made a determination of origin and disposition pursuant to Public Resources Code Section 5097.98. If the remains are determined to be Native American, the County Coroner shall notify the Native American Heritage Commission (NAHC), which will determine and notify a Most Likely Descendant (MLD). With the permission of the City of Dana Point (City), the MLD may inspect the site of the discovery. The MLD shall complete the inspection within 48 hours of notification by the NAHC. The MLD may recommend scientific removal and nondestructive analysis of human remains and items associated with Native American burials. Consistent with CCR Section 15064.5(d), if the remains are determined to be Native American and an MLD is notified, the City shall consult with the MLD as identified by the NAHC to develop an agreement for the treatment and disposition of the remains.

Upon completion of the assessment, the consulting archaeologist shall prepare a report documenting the methods and results and provide recommendations regarding the treatment of the human remains and any associated cultural materials, as appropriate, and in coordination with the recommendations of the MLD. The report shall be submitted to the City Community Development Director, or designee, and the South Central Coastal Information Center. The City's Community Development Director, or designee, shall be responsible for reviewing any reports produced by the archaeologist to determine the appropriateness and adequacy of findings and recommendations.

Finding: The mitigation measure is feasible and would avoid or substantially reduce potentially significant impacts related to the discovery of human remains on the project site to a less than significant level for the reasons set forth on page 4.4-13 of the Draft EIR.

Impact: Result in a cumulative cultural resources impact. As described on pages 4.4-13 and 4.4-14 of the Draft EIR, the proposed project, in conjunction with other development in the City, has the potential to cumulatively impact archaeological and paleontological resources; however, it should be noted that each development proposal received by the City undergoes environmental review pursuant to CEQA. If there is a potential for significant impacts to archaeological or paleontological resources, an investigation would be required to determine the nature and extent of the resources and to identify appropriate mitigation measures. In addition, applicable City ordinances and General Plan policies would be implemented as appropriate to reduce the effects of additional development within the City. Therefore, with implementation of Mitigation Measures 4.4.1 through 4.4.3, the contribution of the proposed project to the cumulative loss of known and unknown cultural resources throughout the City would be reduced to a less than significant level.

Refer to Mitigation Measures 4.4.1 through 4.4.3 above.

Finding: These mitigation measures are feasible and would avoid or substantially reduce the proposed project's cumulative contribution to potentially significant impacts related to cultural and paleontological resources to a less than significant level for the reasons set forth on pages 4.4-13 and 4.4-14 of the Draft EIR.

Geology and Soils.

Impact: Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:

ii) Strong seismic ground shaking. As described on pages 4.5-10 and 4.5-11 of the Draft EIR, there are several faults in the vicinity of the project site that are capable of producing strong ground motion, including the San Andreas fault, the Newport-Inglewood fault, the San Joaquin Hills Blind Thrust fault, and the Whittier Elsinore fault. The Geotechnical Evaluation prepared for the proposed project indicates that strong seismic ground shaking generated by seismic activity is considered a potentially significant impact that may affect the proposed project. With implementation of Mitigation Measure 4.5.1, which requires the project Applicant to comply with the recommendations of the project Geotechnical Evaluation and the most current California Building Code (CBC), potential project impacts related to seismic ground shaking would be reduced to a less than significant level.

Mitigation Measure 4.5.1: **Incorporation of and compliance with the recommendations in the Geotechnical Evaluation.** All grading operations and construction shall be conducted in conformance with the recommendations included in the geotechnical evaluation on the proposed project site that has been prepared by LGC Geotechnical, Inc., titled Geotechnical Evaluation and Slope Stabilization Design for Environmental Impact Report Purposes, for Proposed Structures at the South Shores Church, City of Dana Point, California (May 20, 2013) and Supplemental Geotechnical Slope Stabilization Design by LGC (December 5, 2013) as applicable, or any subsequent geotechnical evaluation prepared for the project. When finalized plans for the proposed development are approved the geotechnical consultant shall perform a review of the plans and any additional work in order to provide a construction level geotechnical report addressing full ground stabilization, foundation, and grading recommendations. Design, grading, and construction shall be performed in accordance with the requirements of the City of Dana Point (City) Municipal Code and the California Building Code (CBC) applicable at the time of grading, appropriate local grading regulations, and the recommendations of the project geotechnical consultant as summarized in a final written report, subject to review and approval by the Director of Public Works, or designee, prior to issuance of grading permits.

Specific recommendations in the geotechnical evaluations address the following and shall be incorporated into the final project plans and construction level geotechnical report:

1. Mechanical slope stabilization
2. Tieback access excavation
3. Retaining walls for the Community Life Center and Christian Education building

4. Retaining walls for the Pre-School/Administration building and Meditation Garden
5. Existing crib wall
6. Parking structure
7. Deepened foundations for top-of-slope structures
8. Site earthwork
9. Geotechnical consultant role during construction
10. Temporary stability
11. Subsurface drainage
12. Grading plan review

Grading plan review shall also be conducted by the Director of Public Works, or designee, prior to the start of grading to verify that the requirements developed during the geotechnical evaluation have been appropriately incorporated into the project plans. Design, grading, and construction shall be conducted in accordance with the specifications of the project geotechnical consultant as summarized in a final report based on the CBC applicable at the time of grading and building and the City Municipal Code. On-site inspection during grading shall be conducted by the project geotechnical consultant and the Director of Public Works, or designee, to ensure compliance with geotechnical specifications as incorporated into project plans.

Finding: These mitigation measures are feasible and would avoid or substantially reduce potentially significant impacts related to strong seismic ground shaking to a less than significant level for the reasons set forth on pages 4.5-10 and 4.5-11 of the Draft EIR.

Impact: Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:

vi) Landslides. As described on page 4.5-11 of the Draft EIR, landslides have been documented within and adjacent to the project site. Therefore, the potential for additional landslides to occur is considered a potentially significant impact. The proposed new structures to the north of the existing Sanctuary would be protected with retaining walls and a caisson/tieback array, as recommended in the Geotechnical Evaluation. However, all unimproved slope areas, including those located below the retaining walls and caisson/tieback along the northeast portion of the project site, could remain at risk for failure. However, practices such as establishing plants, avoiding concentration of water to the subsurface, discouraging rodent activity, and repairing erosion rills would help limit the potential for the failure of unimproved slopes. No structures or permanent uses are planned on these unimproved slopes. With implementation of Mitigation Measures 4.5.1 and 4.5.2, project impacts relating to landslides would be less than significant.

Refer to Mitigation Measure 4.5.1 above.

Mitigation Measure 4.5.2: **Maintenance of Unimproved Slopes.** Prior to issuance of grading permits, the Applicant shall submit for review and approval by the City Director of Community Development and Director of Public Works a grading plan review report that includes a long-term slope maintenance program for the unimproved slopes. The Applicant shall demonstrate to the City Director of Community Development and Director of Public Works that he/she is prepared to implement all

slope maintenance procedures described in the grading plan review report. All future transfers of the property shall have conditions requiring the recipient to assume responsibility for implementation of the slope maintenance program.

Finding: These mitigation measures are feasible and would avoid or substantially reduce potentially significant impacts related to landslides to a less than significant level for the reasons set forth on page 4.5-11 of the Draft EIR.

The City received several comments that expressed concerns regarding the seismic and geologic stability of the project site and adjacent hillside terrain. These issues were addressed in Common Response No. 12, which can be found on pages 2-11 and 2-12 of the Final EIR. While the discussion included in Common Response No. 12 provides additional information regarding the geotechnical analysis and landslide risks, it does not alter the significance findings contained in the Draft EIR.

Impact: Result in substantial soil erosion or the loss of topsoil. As described on pages 4.5-11 and 4.5-12 of the Draft EIR, construction activities would increase the potential for soil erosion. As specified in Mitigation Measures 4.8.1 and 4.8.2 of Section 4.8, Hydrology and Water Quality, the project would comply with the requirements of the Construction General Permit, a Storm Water Pollution Prevention Plan (SWPPP) and erosion control plan would be prepared, and construction best management practices (BMPs) implemented during construction activities to minimize erosion. With implementation of Mitigation Measures 4.8.1 and 4.8.2, erosion impacts during construction would be less than significant. The proposed project would result in a net increase in storm water runoff; however, the proposed project also incorporates a revised drainage system and an on-site detention system consisting of an underground detention basin to reduce peak flows during storm events to below that of existing conditions. Therefore, operation of the proposed project would not result in substantial erosion, and no mitigation is required.

Mitigation Measure 4.8.1: **Construction General Permit. Prior to issuance of a grading permit,** the Applicant shall obtain coverage under the State Water Resources Control Board National Pollutant Discharge Elimination System General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities (Order No. 2009-0009-DWQ, Permit No. CAS000002) (Construction General Permit [CGP]). The Applicant shall provide the Waste Discharge Identification Number to the City of Dana Point (City) Director of Public Works to demonstrate proof of coverage under the CGP. A Storm Water Pollution Prevention Plan (SWPPP) shall be prepared and implemented for the project in compliance with the requirements of the CGP. The SWPPP shall identify construction Best Management Practices (BMPs) to be implemented to ensure that the potential for soil erosion and sedimentation is minimized and to control the discharge of pollutants in storm water runoff as a result of construction activities. Erosion, Sediment, Wind, and Temporary Tracking Control BMPs that may be implemented include, but are not limited to, the following:

- Scheduling
- Preservation of existing vegetation
- Hydraulic mulch

- Hydroseeding
- Soil binders
- Straw mulch
- Geotextiles and mats
- Wood mulching
- Earth dikes and drainage swales
- Velocity dissipation devices
- Slope drains
- Streambank stabilization
- Compost blankets
- Soil preparation/roughening
- Non-vegetative stabilization
- Silt fences
- Sediment basins
- Sediment traps
- Check dams
- Fiber rolls
- Gravel bag berms
- Street sweeping and vacuuming
- Sandbag barriers
- Straw bale barriers
- Storm drain inlet protection
- Active treatment systems
- Temporary silt dikes
- Compose socks and berms
- Biofilter bags
- Stabilized construction entrances/exits
- Stabilized construction roadways
- Entrance/outlet tire washes

Mitigation Measure 4.8.2: **Erosion Control Plan.** In compliance with Chapter 8.01 of the City Municipal Code, during construction, the Applicant shall submit an erosion control plan annually by September 1 to the City Director of Public Works. The erosion control plans shall be prepared in accordance with Subarticle 13 of City Grading Manual. The Erosion Control Plan shall include, but not be limited to, the following:

- The name and 24 hour telephone number of the person responsible for performing emergency erosion control work.
- The signature of the civil engineer or other qualified individual who prepared the grading plan and who is responsible for inspection and monitoring of the erosion control work.
- All desilting and erosion protection facilities necessary to protect adjacent property from sediment deposition.
- The streets and drainage devices that shall be completed and paved by October 15 of each year.
- The placement of sandbags or gravel bags. Slope planting or other measures to control erosion from all slopes above and adjacent to roads open to the public. Gravel bags are preferred over sandbags.
- The plan shall indicate how access shall be provided to maintain desilting facilities during wet weather.

Finding: These mitigation measures are feasible and would avoid or substantially reduce potentially significant impacts related to substantial soil erosion or the loss of topsoil to a less than significant level for the reasons set forth on pages 4.5-11 and 4.5-12 of the Draft EIR.

Impact: Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse.

Landslides: As described on page 4.5-12 of the Draft EIR, landslides have been documented within and adjacent to the project site. Therefore, the potential for additional landslides to occur is considered a potentially significant impact. Potential landslide impacts are addressed through proper site preparation and design, including on-site geotechnical investigations and implementation of site-specific grading recommendations and structural engineering design criteria. The proposed new structures to the north of the existing Sanctuary would be protected with retaining walls and a caisson/tieback array, as recommended in the Geotechnical Evaluation. However, unimproved slope areas would remain at risk for failure. Practices such as establishing plants, avoiding concentration of water to the subsurface, discouraging rodent activity, and repairing erosion rills would help limit the potential for the failure of unimproved slopes. Mitigation Measure 4.5.1 incorporates the recommendations related to landslides from the Geotechnical Evaluation. Mitigation Measure 4.5.2 requires slope maintenance procedures to be conducted on the unimproved slopes during project operation. With implementation of Mitigation Measures 4.5.1 and 4.5.2, project impacts relating to landslides would be less than significant.

Lateral Spreading and Liquefaction, Subsidence, Compressible/Collapsible Soils: As described on page 4.5-13 of the Draft EIR, the project site is not located within an area of potential liquefaction, and is not considered to have a potential risk for lateral spreading, subsidence, or soil collapse based on the soil types underlying the project site. Therefore, no impact related to lateral spreading, subsidence, liquefaction, or collapse would occur, and no mitigation is required.

Corrosive Soils and Soluble Sulfate Content: As described on pages 4.5-12 and 4.5-13 of the Draft EIR, on-site soils are highly corrosive to buried metals. Therefore, impacts related to corrosive soils are considered potentially significant. The Geotechnical Evaluation contains specific construction recommendations to reduce project impacts associated with corrosive soils to a less than significant

level. Mitigation Measure 4.5.3 incorporates the recommendations related to corrosive soils from the Geotechnical Evaluation and would reduce project impacts related to corrosive soils to a less than significant level.

Refer to Mitigation Measures 4.5.1 and 4.5.2 above.

Mitigation Measure 4.5.3: **Additional Testing and Analysis for Corrosive Soils.** A final geotechnical design report, including the structural foundation designs, shall be prepared by the project Applicant and submitted for review and approval by the City Community Development Director, the City Public Works Director, or designee, prior to issuance of any construction permits. The final geotechnical design report shall include the results of additional soil testing and analysis to determine the corrosivity of the soils. The project engineer shall design the structural foundations in accordance with the results of the soil testing.

Finding: These mitigation measures are feasible and would avoid or substantially reduce potentially significant impacts related to unstable geological soils, including lateral spreading, compressible, and corrosive soils to a less than significant level for the reasons set forth on pages 4.5-12 and 4.5-13 of the Draft EIR.

As described above, the City received several comments expressed concerns regarding the seismic and geologic stability of the project site and adjacent hillside terrain. These issues were addressed in Common Response No. 12, which can be found on pages 2-11 and 2-12 of the Final EIR. While the discussion included in Common Response No. 12 provides additional information regarding the geotechnical analysis and landslide risks, it does not alter the significance findings contained in the Draft EIR.

Impact: Be located on expansive soil, as defined by the California Building Code (CBC), creating substantial risks to life or property. As described on page 4.5-13 of the Draft EIR, expansive soil potential at the site is anticipated to range from low to moderate. Therefore, impacts related to expansive soils are considered potentially significant. The Geotechnical Evaluation contains specific construction recommendations to reduce project impacts associated with expansive soils to a less than significant level. Mitigation Measure 4.5.1 incorporates the recommendations related to expansive soils from the Geotechnical Evaluation and would reduce project impacts related to expansive soils to a less than significant level.

Refer to Mitigation Measure 4.5.1 above.

Finding: The mitigation measure is feasible and would avoid or substantially reduce potentially significant impacts related to expansive soil to a less than significant level for the reasons set forth on page 4.5-13 of the Draft EIR.

Impact: Result in a cumulative geology and soils impact. As described on pages 4.5-15 and 4.5-16 of the Draft EIR, the proposed project, as well as foreseeable projects, would be required to comply with the applicable State and local requirements, including, but not limited to, the City's Municipal Code and the CBC. Therefore, the project-specific geology and soils impacts, as well as the impacts associated with other projects, would be reduced to a less than significant level. Seismic impacts are a regional issue and are also addressed through compliance with applicable codes and design standards. For these reasons, the project's contribution to cumulative geotechnical and soil impacts is less than cumulatively significant. Compliance with Mitigation Measures 4.5.1 through 4.5.3 and Mitigation

Measures 4.8.1 and 4.8.2 would ensure that cumulative geology and soils impacts are less than cumulatively significant.

Refer to Mitigation Measures 4.5.1 through 4.5.3 and Mitigation Measures 4.8.1 and 4.8.2 above.

Finding. These mitigation measures are feasible and would avoid or substantially reduce the proposed project's cumulative contribution to potentially significant impacts related to the geology and soils to a less than significant level for the reasons set forth on pages 4.5-15 and 4.5-16 of the Draft EIR.

Hazards and Hazardous Materials.

Impact: Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials. As described on pages 4.7-14 and 4.7-15 of the Draft EIR, during construction, the routine use of hazardous materials such as fuels, paints, and solvents would occur. However, use of these materials would be in compliance with government regulations, and the amount of these materials during construction would be nominal and would not pose a significant hazard. In addition, the Applicant would be required to implement Mitigation Measures 4.7.1 and 4.7.2, as well as standard BMPs related to hazardous materials storage and use during construction included in the Hydrology and Water Quality section of this EIR to reduce potential impacts associated with the possible encounter of hazardous materials or substances during project construction.

As described on pages 4.7-15 and 4.7-16 of the Draft EIR, during operation, the proposed project would involve the use of potentially hazardous materials (e.g., solvents, cleaning agents, paints, and pesticides) typical of church and education facilities that, when used properly, would not result in a significant hazard to church employees or visitors. Operation of the proposed project would not produce hazardous emissions or include the handling of acutely hazardous materials, substances, or waste. Therefore, compliance with applicable regulations would ensure that potential hazardous material impacts associated with the operation of the proposed project would be less than significant, and no mitigation is required.

Mitigation Measure 4.7.1: **Predemolition Surveys.** Prior to commencement of demolition activities, City of Dana Point (City) Building Official, or designee, shall verify that predemolition surveys for asbestos-containing materials (ACMs) and lead-based paints (LBPs) (including sampling and analysis of all suspected building materials) and inspections for polychlorinated biphenyl (PCB)-containing electrical fixtures shall be performed. All inspections, surveys, and analyses shall be performed by appropriately licensed and qualified individuals in accordance with applicable regulations (i.e., American Society for Testing and Materials (ASTM) E 1527-05, and 40 Code of Federal Regulations (CFR), Subchapter R, Toxic Substances Control Act [TSCA], Part 716). If the predemolition surveys do not find ACMs, LBPs, or PCB-containing electrical fixtures, the inspectors shall provide documentation of the inspection and its results to the City Building Department to confirm that no further abatement actions are required.

If the predemolition surveys find evidence of ACMs, LBPs, or PCB-containing electrical fixtures, all such materials shall be removed, handled, and properly disposed of by appropriately licensed contractors according to all applicable regulations during demolition

of structures (40 CFR, Subchapter R, TSCA, Parts 745, 761, and 763). Air monitoring during these predemolition surveys shall be completed by appropriately licensed and qualified individuals in accordance with applicable regulations both to ensure adherence to applicable regulations (e.g., South Coast Air Quality Management District [SCAQMD]) and to provide safety to workers and the adjacent community.

The City shall provide documentation (e.g., all required waste manifests, sampling, and air monitoring analytical results) to the County of Orange Environmental Health Division showing that abatement of any ACMs, LBPs, or PCB-containing electrical fixtures identified in these structures has been completed in full compliance with all applicable regulations and approved by the appropriate regulatory agency(ies) (40 CFR, Subchapter R, TSCA, Parts 716, 745, 761, 763, and 795 and California Code of Regulations [CCR] Title 8, Article 2.6). An Operating & Maintenance (O&M) Plan shall be prepared for any ACM, LBP, or PCB-containing fixtures to remain in place and will be reviewed and approved by the County of Orange Environmental Health Division.

Mitigation Measure 4.7.2: **Contingency Plan.** Prior to commencement of grading activities, the Director of the Orange County Environmental Health Division, or designee, shall review and approve a contingency plan that addresses the potential to encounter on-site unknown hazards or hazardous substances during demolition and construction activities. The plan shall indicate that if construction workers encounter underground tanks, gases, odors, uncontained spills, or other unidentified substances, the contractor shall stop work, cordon off the affected area, and notify the Orange County Fire Authority (OCFA). The OCFA responder shall determine the next steps regarding possible site evacuation, sampling, and disposal of the substance consistent with local, State, and federal regulations.

Finding: These mitigation measures are feasible and would avoid or substantially reduce potentially significant impacts related to hazards and hazardous materials (routine transport use or disposal of hazardous materials) to a less than significant level for the reasons set forth on pages 4.7-14 and 4.7-15 of the Draft EIR.

Impact: Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment. As described on page 4.7-16 of the Draft EIR, during construction, the routine use of hazardous materials such as fuels, paints, and solvents would occur. However, use of these materials would be in compliance with government regulations, and the amount of these materials during construction would be nominal and would not pose a significant hazard due to accidental release. With the implementation of standard BMPs for water quality and Mitigation Measures 4.7.1 and 4.7.2, the proposed project would pose a less than significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment during construction.

As described on page 4.7-16 of the Draft EIR, operation of the proposed project would not produce hazardous emissions or include the handling of acutely hazardous materials, substances, or waste. Compliance with applicable regulations would ensure that operation of the proposed project would result in a less than significant hazard to the public or the environment related to the release of hazardous materials during project operation, and no mitigation is required.

Refer to Mitigation Measures 4.7.1 through 4.7.2 above.

Finding: These mitigation measures are feasible and would avoid or substantially reduce potentially significant impacts related to hazards and hazardous materials (release of hazardous materials due to a reasonably foreseeable upset and accident conditions) to a less than significant level for the reasons set forth on page 4.7-16 of the Draft EIR.

Impact: Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school. As described on page 4.7-16 of the Draft EIR, the Monarch Bay Montessori Academy has been identified within 0.25 mile of the project site. Additionally, the project site currently contains an on-site Preschool facility (South Shores Christian Preschool and Kindergarten) that would continue to operate during project construction and operation.

Construction. As described on page 4.7-17 of the Draft EIR, construction activities would involve the routine use of hazardous materials such as vehicle fuels, oils, and transmission fluids. With the implementation of standard BMPs for water quality and Mitigation Measure 4.7.1, any risks associated with the storage, handling, or disposal of hazardous materials during construction would be reduced to a level that is less than significant. In addition, there are no reported releases on site or off site that would pose a potential concern during construction activities. Mitigation Measure 4.7.2, which outlines the preparation and use of a contingency plan, would reduce impacts related to the possible discovery of unknown hazardous materials, substances, or waste during construction activities to a less than significant level.

Operation. As described on page 4.7-17 of the Draft EIR, during operation, the proposed project would involve the use of potentially hazardous materials typical of church and education facilities that, when used properly, would not produce hazardous emissions or handle acutely hazardous materials, substances, or waste. Therefore, compliance with applicable regulations would ensure that operation of the proposed project would result in a less than significant hazard to the public or the environment, including Monarch Bay Montessori Academy or South Shores Christian Preschool and Kindergarten. No mitigation is required.

Refer to Mitigation Measures 4.7.1 through 4.7.2 above.

Finding: These mitigation measures are feasible and would avoid or substantially reduce potentially significant impacts related to hazards and hazardous materials (emitting hazardous emissions or handling hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school) to a less than significant level for the reasons set forth on pages 4.7-16 and 4.7-17 of the Draft EIR.

Impact: Result in a cumulative hazard and hazardous materials impact. As described on pages 4.7-20 and 4.7-21 of the Draft EIR, the contribution of hazardous materials use and hazardous waste disposal with implementation of the proposed project is minimal, and combined hazardous materials effects from past, present, and reasonably foreseeable projects within the County and the City would not be significant. The proposed project would involve the use of potentially hazardous materials, but

these products would be used in small amounts and any spills that do occur would be cleaned up when they occur. Proper and routine use of these products would not result in a significant hazard to residents or workers in the vicinity of the proposed project. The proposed project would not contribute incrementally to any potential airport proximity hazards. Furthermore, for the proposed project and all other projects in the area to be approved, each project is required to be consistent with the existing regulations related to hazards and hazardous materials. Consistency with federal, State, and local regulations prevent this and other projects from creating cumulative impacts in terms of hazards and hazardous materials. With implementation of Mitigation Measures 4.7.1 and 4.7.2, and Mitigation Measures 4.8.1 through 4.8.3 set forth in Section 4.8, the proposed project's incremental contribution to impacts related to hazards and hazardous materials would be reduced to less than significant.

Refer to Mitigation Measures 4.7.1 and 4.7.2, and 4.8.1 through 4.8.3.

Finding: These mitigation measures are feasible and would reduce the proposed project's cumulative contribution to potentially significant impacts related to hazards and hazardous materials to a less than significant level for the reasons set forth on pages 4.7-20 and 4.7-21 of the Draft EIR.

Hydrology and Water Quality.

Impacts: The following impacts are discussed together in the Draft EIR and the Final EIR; each bullet point represents a potential environmental impact that is discussed below.

- **Violate any water quality standards or waste discharge requirements.**
- **Otherwise substantially degrade water quality.**
- **Result in an increase in pollutant discharges to receiving waters.**
- **Result in significant alternation of receiving water quality during or following construction.**
- **Have a potentially significant environmental impact on surface water quality to either marine, fresh, or wetland waters.**
- **Have a potentially significant adverse impact on groundwater quality.**
- **Cause or contribute to an exceedance of applicable surface or groundwater receiving water quality objectives or degradation of beneficial uses.**

Construction. As described on pages 4.8-13 and 4.8-14 of the Draft EIR, during construction activities, the total excavated area would be 5.1 ac, thus resulting in excavated soil exposure and an increased potential for soil erosion compared to existing conditions. In addition, chemicals, liquid products, petroleum products, and concrete-related waste may be spilled or leaked and have the potential to be transported via storm runoff into downstream receiving waters. Due to the depth to the groundwater table (approximately 90 feet [ft] below ground surface [bgs]), groundwater dewatering during construction would not be required and the project does not have the potential to impact groundwater quality. Minor amounts of groundwater seepage may be present at the bottom of the deepest proposed caissons. However, any displaced groundwater would be minor and would be collected and evaporated on site. Therefore, coverage under a groundwater discharge permit would not be required.

Implementation of Mitigation Measures 4.8.1 and 4.8.2 would reduce potential construction impacts related to violation of water quality standards or Waste Discharge Requirements (WDRs), degradation of water quality, increase in pollutant discharge, alteration of receiving water quality, adverse impacts on water and groundwater quality, and degradation of beneficial uses to less than significant levels.

Operation. As described on pages 4.8-14 through 4.8-17 of the Draft EIR, the proposed project would result in a permanent increase in impervious surface area of 1.25 ac (an increase from 54 to 75 percent of the project site), thus increasing the volume of runoff during a storm, which could more effectively transport pollutants to receiving waters. (This impervious area was reduced in the revised Alternative 2 scenario to 0.87 acres noted in the Preliminary Water Quality Management Plan Appendix page 3. This also reduces the increase in impervious are to 60% from 75%.)However, due to the depth to groundwater, the project does not have a potential to impact groundwater quality. Further, implementation of Mitigation Measure 4.8.3, which requires preparation of a WQMP, would reduce potential operational impacts related to violation of water quality standards or WDRs, degradation of water quality, increase in pollutant discharge, alteration of receiving water quality, adverse impacts on water and groundwater quality, and degradation of beneficial uses to less than significant levels.

Mitigation Measure 4.8.1: **Construction General Permit.** Prior to issuance of a grading permit, the Applicant shall obtain coverage under the *State Water Resources Control Board National Pollutant Discharge Elimination System General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities* (Order No. 2009-0009-DWQ, Permit No. CAS000002) (Construction General Permit [CGP]). The Applicant shall provide the Waste Discharge Identification Number to the City of Dana Point (City) Director of Public Works to demonstrate proof of coverage under the CGP. A Storm Water Pollution Prevention Plan (SWPPP) shall be prepared and implemented for the project in compliance with the requirements of the CGP. The SWPPP shall identify construction Best Management Practices (BMPs) to be implemented to ensure that the potential for soil erosion and sedimentation is minimized and to control the discharge of pollutants in storm water runoff as a result of construction activities. Erosion, Sediment, Wind, and Temporary Tracking Control BMPs that may be implemented include, but are not limited to, the following:

- Scheduling
- Preservation of existing vegetation
- Hydraulic mulch
- Hydroseeding
- Soil binders
- Straw mulch
- Geotextiles and mats
- Wood mulching
- Earth dikes and drainage swales
- Velocity dissipation devices
- Slope drains
- Streambank stabilization
- Compost blankets
- Soil preparation/roughening

- Non-vegetative stabilization
- Silt fences
- Sediment basins
- Sediment traps
- Check dams
- Fiber rolls
- Gravel bag berms
- Street sweeping and vacuuming
- Sandbag barriers
- Straw bale barriers
- Storm drain inlet protection
- Active treatment systems
- Temporary silt dikes
- Compose socks and berms
- Biofilter bags
- Stabilized construction entrances/exits
- Stabilized construction roadways
- Entrance/outlet tire washes

Mitigation Measure 4.8.2: **Erosion Control Plan.** In compliance with Chapter 8.01 of the City Municipal Code, during construction, the Applicant shall submit an erosion control plan annually by September 1 to the City Director of Public Works. The erosion control plans shall be prepared in accordance with Subarticle 13 of City Grading Manual. The Erosion Control Plan shall include, but not be limited to, the following:

- The name and 24 hour telephone number of the person responsible for performing emergency erosion control work.
- The signature of the civil engineer or other qualified individual who prepared the grading plan and who is responsible for inspection and monitoring of the erosion control work.
- All desilting and erosion protection facilities necessary to protect adjacent property from sediment deposition.
- The streets and drainage devices that shall be completed and paved by October 15 of each year.
- The placement of sandbags or gravel bags. Slope planting or other measures to control erosion from all slopes above and adjacent to roads open to the public. Gravel bags are preferred over sandbags.
- The plan shall indicate how access shall be provided to maintain desilting facilities during wet weather.

Mitigation Measure 4.8.3: **Water Quality Management Plan.** Prior to issuance of grading permits, the Applicant shall submit a Final Water Quality Management Plan (WQMP) to the City Director of Public Works for review and approval. The WQMP shall be consistent with the City's Model Water Quality Management Plan (Model WQMP) and the project's preliminary WQMP, as conceptually approved on January 14, 2013. Project-specific Low-Impact Development, Detention/ Biofiltration Site Design, Source Control, or Treatment Control BMPs contained in the Final WQMP shall be incorporated into final design and comply with the Model WQMP requirements in effect at the time of submittal of each phase. The BMPs shall be properly designed and maintained to target pollutants of concern and reduce runoff from the project site. The WQMP shall include an operations and maintenance (O&M) Plan for the prescribed BMPs to ensure their long-term performance. The O&M Plan shall include, but not be limited to, the following requirements:

- Operation and maintenance records shall be retained a minimum of 5 years.
- Training and educational activities and BMP operation and maintenance shall be documented to verify compliance with the O&M Plan.
- A WQMP Verification Form shall be submitted to the City of Dana Point annually by September 1.
- BMPs shall be inspected for standing water on a regular basis.
- Operation and inspection requirements for the Low-Impact Development, Detention/Biofiltration Site Design, Source Control, or Treatment Control BMPs shall be included.

Finding: These mitigation measures are feasible and would avoid or substantially reduce potentially significant impacts related to hydrology and water quality (water quality standards, waste discharge requirements, and degradation of water quality) to a less than significant level for the reasons set forth on pages 4.8-14 through 4.8-17 of the Draft EIR.

The City received several comments claiming that various drainage features and conditions occurring on the project site were/are causing unlawful erosion and sedimentation deposits into storm drain facilities which ultimately discharge into Salt Creek. Several of these comments suggested the Applicant has failed to properly maintain the existing drainage system and that the existing drainage system is insufficient to accommodate existing runoff from the project site and surrounding properties. While most of these comments relate to the maintenance of existing storm water facilities, some comments also suggested that runoff from the proposed project would exceed the capacity of the existing and proposed drainage system serving the project site, resulting in erosion, sedimentation, landslide risks, and degraded water quality. These issues were addressed in Common Response No. 6, which can be found on pages 2-5 through 2-7 of the Final EIR.

The City also received several comments regarding the proposed project's compliance with water quality regulations and implementation of best management practices (BMPs). These issues were addressed in Common Response No. 13, which can be found on pages 2-12 through 2-16 of the Final

EIR. While the discussion included in Common Response No. 13 provides additional information regarding the hydrology and water quality analysis and provides clarification regarding applicable regulations and proposed BMPs, it does not alter the significance findings contained in the Draft EIR.

Impacts: The following impacts are discussed together in the Draft EIR and the Final EIR; each bullet point represents a potential environmental impact that is discussed below.

- **Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on or off site.**
- **Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner that would result in flooding on or off site.**
- **Result in increased erosion downstream.**

Construction. As described on pages 4.8-18 and 4.8-19 of the Draft EIR, during construction activities, the project site would be graded, excavated soil would be exposed, and there could be an increased potential for soil erosion compared to existing conditions. During a storm event, soil erosion and sedimentation could occur at an accelerated rate. There are no on-site streams or rivers; therefore, the project would not alter the course of a stream or river. Implementation of Mitigation Measures 4.8.1 and 4.8.2 would reduce potential construction impacts related to erosion and siltation and flooding to less than significant levels.

Operation. As described on page 4.8-19 of the Draft EIR, the proposed project would change on-site drainage patterns by adding impervious surface areas and adjusting the drainage system, including buildings. However, flows from the project site would continue to discharge to the storm drain system. The project would increase impervious area by 1.25 ac, which could increase the runoff volume and velocity from the site. However, the underground detention system would reduce peak flows. Total peak flow from the site would decrease from 26.1 cubic feet per second (cfs) to 12.1 cfs for a 25-year storm and from 33.2 cfs to 14.2 cfs for a 100-year storm. (This impervious area was reduced in the revised Alternative 2 scenario to 0.87 acres noted in the Preliminary Water Quality Management Plan Appendix page 3. This also changes the increase in impervious area to 69% rather than 75 %. Furthermore, the Supplemental Hydrology Report Appendix Table A-1, page 5 notes the existing 26.6 cfs peak flow from the site for the 25 year storm is reduced from 26.6 cfs to 11.3 cfs and the 100 year storm peak flow is reduced from 33.9 cfs to 14.4 cfs.) Because the project would reduce off-site discharge, the proposed project would not contribute to downstream erosion, siltation, or flooding.

In the proposed condition of Revised Alternative 2, 69 percent of the site would be impervious surface areas and not prone to erosion or siltation. The remaining 31 percent would be landscaping, which would minimize erosion and siltation. The project site would be designed for storm water to drain to the storm drain system. Therefore, on-site flooding, erosion, and siltation would not occur. Therefore, operational impacts related to on- or off-site erosion, siltation, and flooding would be less than significant, and no mitigation is required.

Refer to Mitigation Measures 4.8.1 through 4.8.2 above.

Finding: These mitigation measures are feasible and would avoid or substantially reduce potentially significant impacts related to hydrology and water quality (alteration of the existing drainage pattern on the project site or area, the substantial increase in the rate or amount of surface runoff in a manner

that would result in substantial erosion or siltation, or flooding on or off the project site) to a less than significant level for the reasons set forth on pages 4.8-18 and 4.8-19 of the Draft EIR.

As described above, the City received several comments regarding the hydrology and water quality analysis included in Section 4.8, Hydrology and Water Quality, of the Draft EIR. These issues were addressed in Common Response No. 6, which can be found on pages 2-5 through 2-7 of the Final EIR, and Common Response No. 13, which can be found on pages 2-12 through 2-16 of the Final EIR. While the discussion included in Common Response Nos. 6 and 13 provides additional information regarding the hydrology and water quality analysis and provides clarification regarding applicable regulations and proposed BMPs, it does not alter the significance findings contained in the Draft EIR.

Impact: Create or contribute to runoff water that would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff.

Construction. As described on page 4.8-20 of the Draft EIR, construction of the proposed project has the potential to introduce pollutants into the storm water drainage system from erosion, siltation, and accidental spills. In addition, grading and construction activities would compact soil and construction of structures would increase impervious area, which can increase runoff during construction. With implementation of Mitigation Measures 4.8.1 and 4.8.2, storm water drainage systems would be reduced to less than significant levels.

Operation. As described on page 4.8-20 of the Draft EIR, the proposed project would decrease the peak flow to the downstream storm water drainage system, and would not contribute runoff water that would exceed the capacity of an existing or planned storm water drainage system. In addition, the project would include roof drain planter boxes, storm water planters, proprietary biofilters, and biofiltration swales/depressed landscape to treat storm water runoff from the site during operation. Therefore, with implementation of Mitigation Measure 4.8.3, operational impacts related to exceeding the capacity of, and providing additional sources of polluted runoff to, storm water drainage systems would be reduced to less than significant levels.

Refer to Mitigation Measures 4.8.1, 4.8.2, and 4.8.3.

Finding: These mitigation measures are feasible and would avoid or substantially reduce potentially significant impacts related to hydrology and water quality (exceed capacity of existing or planned storm drain system or provide substantial additional sources of polluted sources of runoff) to a less than significant level for the reasons set forth on page 4.8-20 of the Draft EIR.

As described above, the City received several comments regarding the hydrology and water quality analysis included in Section 4.8, Hydrology and Water Quality, of the Draft EIR. These issues were addressed in Common Response No. 6, which can be found on pages 2-5 through 2-7 of the Final EIR, and Common Response No. 13, which can be found on pages 2-12 through 2-16 of the Final EIR. While the discussion included in Common Response Nos. 6 and 13 provides additional information regarding the hydrology and water quality analysis and provides clarification regarding applicable regulations and proposed BMPs, it does not alter the significance findings contained in the Draft EIR.

Impacts: Expose people or structures to a significant risk of loss, injury, or death involving flooding, including flooding as a result of inundation by seiche, tsunami, or mudflow. As described on page 4.8-21 of the Draft EIR, according to the Public Safety Element of the City of Dana Point General Plan (June 27, 1995), since no major lakes or open water impoundments exist in the City of Dana Point, hazards related to inundation from seiche are considered low within the City. Therefore,

the project would not result in impacts related to exposure of people or structures to risk of loss, injury, or death involving flooding as a result of inundation by seiche. No mitigation is required.

The proposed project is not located in a tsunami inundation area. Therefore, the project would not result in impacts related to exposure of people or structures to risk of loss, injury, or death involving flooding as a result of inundation by tsunami. No mitigation is required.

Landslides have been documented within and adjacent to the project site. Therefore, there is a potential for mudslide or mudflow to occur on the undeveloped slopes of the project site. Practices such as establishing plants, avoiding concentration of water to the subsurface, discouraging rodent activity, and repairing erosion rills would help limit potential for failure of unimproved areas. With implementation of Mitigation Measure 4.5.2, project impacts relating to mudflow would be less than significant.

Refer to Mitigation Measure 4.5.2 above.

Finding: This mitigation measure is feasible and would avoid or substantially reduce potentially significant impacts related to hydrology and water quality (Expose people or structures to a significant risk of loss, injury, or death involving flooding, including flooding as a result of inundation by seiche, tsunami, or mudflow) to a less than significant level for the reasons set forth on page 4.8-21 of the Draft EIR.

As described above, the City received several comments regarding the hydrology and water quality analysis included in Section 4.8, Hydrology and Water Quality, of the Draft EIR. These issues were addressed in Common Response No. 6, which can be found on pages 2-5 through 2-7 of the Final EIR, and Common Response No. 13, which can be found on pages 2-12 through 2-16 of the Final EIR. While the discussion included in Common Response Nos. 6 and 13 provides additional information regarding the hydrology and water quality analysis and provides clarification regarding applicable regulations and proposed BMPs, it does not alter the significance findings contained in the Draft EIR.

Impact: Be tributary to an already impaired water body, as listed on the Clean Water Act Section 303(d) list. If so, can it result in an increase in any pollutant for which the water body is already impaired.

Construction. As described on page 4.8-22 of the Draft EIR, construction of the proposed project has a potential to contribute to the total bacteria coliform impairment. However, sanitary services during construction would likely be provided by portable toilet facilities, which transport waste off site for treatment and disposal. Disposal of waste from the portable toilets would be performed by contracted waste haulers who would handle, haul away, and dispose of portable toilet waste in accordance with applicable regulations. Therefore, potential construction impacts related to contribution to receiving water impairments would be less than significant.

Operation. As described on page 4.8-22 of the Draft EIR, operation of the proposed project has a potential to contribute to the total bacteria coliform impairment. Implementation of Mitigation Measure 4.8.3 would reduce potential operational impacts related to contribution to receiving water impairments to less than significant levels.

Refer to Mitigation Measure 4.8.3 above.

Finding: This mitigation measure is feasible and would avoid or substantially reduce potentially significant impacts related to hydrology and water quality (result in further impairment of a water body

that is already impaired) to a less than significant level for the reasons set forth on page 4.8-22 of the Draft EIR.

As described above, the City received several comments regarding the hydrology and water quality analysis included in Section 4.8, Hydrology and Water Quality, of the Draft EIR. These issues were addressed in Common Response No. 6, which can be found on pages 2-5 through 2-7 of the Final EIR, and Common Response No. 13, which can be found on pages 2-12 through 2-16 of the Final EIR. While the discussion included in Common Response Nos. 6 and 13 provides additional information regarding the hydrology and water quality analysis and provides clarification regarding applicable regulations and proposed BMPs, it does not alter the significance findings contained in the Draft EIR.

Impact: Be tributary to other environmentally sensitive areas. If so, would it exacerbate already existing sensitive conditions.

Construction. As described on page 4.8-23 of the Draft EIR, runoff from the project site is tributary to Salt Creek at the Pacific Ocean, which is designated as an Environmentally Sensitive Area in the City of Dana Point Local Implementation Plan (LIP). The project would comply with the requirements of the Construction General Permit, as specified in Mitigation Measure 4.8.1. In addition, as specified in Mitigation Measure 4.8.2, erosion control plans would be prepared annually during construction and submitted to the City Department of Public Works. Implementation of Mitigation Measures 4.8.1 and 4.8.2 would reduce construction-related impacts to environmentally sensitive areas to less than significant levels.

Operation. As described on page 4.8-23 of the Draft EIR, runoff from the project site is tributary to Salt Creek, which is designated as an Environmentally Sensitive Area in the City of Dana Point LIP. Implementation of Mitigation Measure 4.8.3 would reduce potential operational impacts related to Environmentally Sensitive Areas to a less than significant level.

Refer to Mitigation Measures 4.8.1 through 4.8.3 above.

Finding: These mitigation measures are feasible and would avoid or substantially reduce potentially significant impacts related to hydrology and water quality (exacerbate already existing conditions in environmentally sensitive areas) to a less than significant level for the reasons set forth on page 4.8-23 of the Draft EIR.

As described above, the City received several comments regarding the hydrology and water quality analysis included in Section 4.8, Hydrology and Water Quality, of the Draft EIR. These issues were addressed in Common Response No. 6, which can be found on pages 2-5 through 2-7 of the Final EIR, and Common Response No. 13, which can be found on pages 2-12 through 2-16 of the Final EIR. While the discussion included in Common Response Nos. 6 and 13 provides additional information regarding the hydrology and water quality analysis and provides clarification regarding applicable regulations and proposed BMPs, it does not alter the significance findings contained in the Draft EIR.

Impact: Impact aquatic, wetland, or riparian habitat.

Construction. As described on pages 4.8-23 and 4.8-24 of the Draft EIR, according to the Updated General Biological Assessment letter report (LSA Associates, Inc. [LSA], March 2014), there is no aquatic, wetland, or riparian habitat on the project site. However, runoff from the project site has a potential to impact downstream aquatic, wetland, or riparian habitat. During construction activities, excavated soil would be exposed and there would be an increased potential for soil erosion compared

to existing conditions. Implementation of Mitigation Measures 4.8.1 and 4.8.2 would reduce potential construction impacts to aquatic, wetland, or riparian habitat to less than significant levels.

Operation. As described on page 4.8-23 of the Draft EIR, pollutants of concern during operation of the proposed on-site uses include nutrients, pesticides, suspended solids/sediments, trash and debris, oil and grease, bacteria/viruses/pathogens, heavy metals, and toxic organic compounds. Implementation of Mitigation Measure 4.8.3, would reduce potential operational impacts to aquatic, wetland, or riparian habitat to less than significant levels.

Refer to Mitigation Measures 4.8.1 through 4.8.3 above.

Finding: These mitigation measures are feasible and would avoid or substantially reduce potentially significant impacts related to hydrology and water quality (impacting aquatic, wetland, or riparian habitat) to a less than significant level for the reasons set forth on pages 4.8-23 and 4.8-24 of the Draft EIR.

As described above, the City received several comments regarding the hydrology and water quality analysis included in Section 4.8, Hydrology and Water Quality, of the Draft EIR. These issues were addressed in Common Response No. 6, which can be found on pages 2-5 through 2-7 of the Final EIR, and Common Response No. 13, which can be found on pages 2-12 through 2-16 of the Final EIR. While the discussion included in Common Response Nos. 6 and 13 provides additional information regarding the hydrology and water quality analysis and provides clarification regarding applicable regulations and proposed BMPs, it does not alter the significance findings contained in the Draft EIR.

Impact: Result in a cumulative hydrology and water quality impact. As described on page 4.8-24 of the Draft EIR, the project site is currently developed as a church in the Salt Creek Watershed; therefore, the cumulative study area for hydrology and water quality is the Salt Creek Watershed. Each of the cumulative projects, individually and cumulatively, could potentially increase the volume of storm water runoff and contribute to pollutant loading in storm water runoff reaching both the City's storm drain system and Salt Creek, resulting in cumulative impacts to hydrology and surface water quality. However, as with the proposed project, which requires implementation of Mitigation Measures 4.8.1 through 4.8.3, each of the cumulative projects would also be subject to National Pollutant Discharge Elimination System (NPDES) and MS4 Permit requirements for both construction and operation. Similarly, each project would be required to develop a SWPPP, an erosion control plan, a WQMP, and a hydrology report, and would be evaluated individually to determine appropriate BMPs to minimize water quality and hydrologic impacts. In addition, the City Department of Public Works reviews all development projects on a case-by-case basis to ensure that sufficient local and regional drainage capacity is available and in this project, peak drainage volume is reduced. Thus, the project's contribution to cumulative impacts to hydrology and water quality would be less than significant.

Refer to Mitigation Measures 4.8.1 through 4.8.3 above.

Finding: These mitigation measures are feasible and would avoid or substantially reduce the proposed project's cumulative contribution to potentially significant impacts related to the hydrology and water quality to a less than significant level for the reasons set forth on page 4.8-24 of the Final EIR.

As described above, the City received several comments regarding the hydrology and water quality analysis included in Section 4.8, Hydrology and Water Quality, of the Draft EIR. These issues were addressed in Common Response No. 6, which can be found on pages 2-5 through 2-7 of the Final EIR, and Common Response No. 13, which can be found on pages 2-12 through 2-16 of the Final EIR. While the discussion included in Common Response Nos. 6 and 13 provides additional information regarding

the hydrology and water quality analysis and provides clarification regarding applicable regulations and proposed BMPs, it does not alter the significance findings contained in the Draft EIR.

Land Use and Planning.

Impact: Conflicts with any applicable habitat conservation plan or natural community conservation plan.

As described on page 4.9-32 of the Draft EIR, the project site is located in the Central and Coastal region of the Orange County NCCP/HCP. The proposed project would result in the preservation of the undisturbed coastal sage scrub and the removal of some disturbed coastal sage scrub on the project site, which are each considered a sensitive habitat. The removal of on-site disturbed coastal sage scrub would conflict with goals and policies contained in the Orange County NCCP/HCP aimed at reducing impacts to sensitive coastal species. Therefore, implementation of Mitigation Measure 4.3.1, requiring payment of in-lieu fees as outlined in the Orange County NCCP/HCP, would be required to ensure that the proposed project would be consistent with the Orange County NCCP/HCP.

Refer to Mitigation Measure 4.3.1 above.

Finding: These mitigation measures are feasible and would avoid or substantially reduce potentially significant impacts related to conflicts with applicable habitat conservation plans or natural community conservation plans to a less than significant level for the reasons set forth on page 4.9-32 of the Draft EIR.

Noise.

Impact: Result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project.

Long-Term Traffic Noise Impacts. As described on pages 4.10-17 through 4.10-23 of the Draft EIR, project-related traffic would have mostly small (0.3 dBA or less) noise level increases along roadway segments in the project vicinity for the existing and future weekday and Sunday cumulative year scenarios. Because changes in noise levels of 3 dBA or less are not perceptible to the human ear in an outdoor environment, noise level increases associated with the proposed project would be considered less than significant. No mitigation is required.

Crown Valley Parkway. As described on pages 4.10-23 and 4.10-24 of the Draft EIR, because the buffer area between the project buildings and Crown Valley Parkway includes only parking and landscaped areas and does not have any outdoor recreation areas, no mitigation is required to reduce the exterior noise level. Based on the United States Environmental Protection Agency's (EPA's) Protective Noise Levels (EPA 550/ 9 79 100, November 1978), standard building construction in warm climate areas such as southern California would provide 12 dBA in exterior-to-interior noise attenuation. With windows or doors open, interior noise levels in the frontline rooms/spaces facing Crown Valley Parkway within the Community Life Center, Christian Education buildings, and the Preschool/Administration building would potentially exceed the 45 dBA Community Noise Equivalent Level (CNEL) interior noise level recommended for noise-sensitive uses. With windows closed, interior noise levels in the frontline rooms/spaces in the Community Life Center would also exceed the standard for noise-sensitive uses. Therefore, windows with Sound Transmission Class (STC) ratings provided by standard building construction (STC-24 to STC-28) would not be sufficient for the interior spaces inside the Community Life Center building facing Crown Valley Parkway. Mitigation Measure 4.10.1, which requires building facade upgrades, such as windows with STC ratings higher than those provided

by standard building construction, would reduce interior noise levels in the frontline rooms of the Community Life Center building below the 45 dBA CNEL. With implementation of Mitigation Measure 4.10.1, potential long-term traffic noise impacts on on-site uses would be reduced to less than significant levels.

Because the Christian Education buildings and the Preschool/Administration building are projected to be exposed to traffic noise levels below 69 dBA CNEL, windows with STC ratings provided by standard building construction (up to STC 28) would be sufficient for rooms or interior spaces facing Crown Valley Parkway. Air conditioning is required to ensure that windows can remain closed for prolonged periods of time. As the proposed project would provide air conditioning as a standard feature, no mitigation is required for the facades of the Christian Education buildings or the Preschool/Administration building facing Crown Valley Parkway.

Children's Play Areas. As described on pages 4.10-24 and 4.10-25 of the Draft EIR, following the completion of Phase 3, the proposed play areas would be located to the north and east of the Christian Education buildings and shielded from Crown Valley Parkway traffic noise. Therefore, the proposed project would result in less than significant traffic noise impacts on the proposed play areas on the project site following completion of Phase 3, and no mitigation is required.

During Phases 1B, 1C, 2, and 3, however, the children's play area would be located in the parking lot in front of the Preschool/Administration building, an area that is approximately 200 ft from the centerline of Crown Valley Parkway. At this distance, the projected traffic noise level would be 63 dBA CNEL, which is less than the City's 65 dBA CNEL exterior noise level recommended for outdoor activity areas. Therefore, the proposed project would result in less than significant traffic noise impacts on the proposed play areas on the project site during Phases 1B, 1C, 2, and 3, and no mitigation is required.

Mechanical Equipment. As described on page 4.10-25 of the Draft EIR, the project proposes to have a mechanical room at the lower level at the southwest corner of the Parking Structure. Operation of the mechanical room equipment would result in a noise level of 49 dBA at the nearest residence at Monarch Bay Villas when the equipment is running at full capacity. This noise level is less than the City requirement (Municipal Code Section 11.10.010) of 50 dBA during the nighttime period (10 p.m. to 7 a.m.) and City requirement of 55 dBA during the daytime (7 a.m. to 10 p.m.). In addition, since the mechanical equipment is serving the Preschool/Administration Building and the Sanctuary, the mechanical equipment would rarely operate during the nighttime hours. Indoor noise levels would be at least 12 dBA lower than the exterior noise level with windows open. Therefore, indoor noise levels would be no higher than 37 dBA which is well below the City's daytime limit of 55 dBA and the nighttime limit of 45 dBA (Municipal Code Section 11.10.012). No mitigation is required.

Mitigation Measure 4.10.1: Prior to the issuance of any grading or building permits for Phase 1C, the Applicant shall submit the building plans for review and approval by the City of Dana Point (City) Building Official, or designee, to ensure that building facade upgrades, including but not limited to windows with Sound Transmission Class (STC)-30 or higher, have been included in the plans for the western facade of the Community Life Center along Crown Valley Parkway to reduce noise levels associated with traffic noise to an acceptable level.

Finding: These project design features and mitigation measures are feasible and would avoid or substantially reduce potentially significant impacts related to noise (permanent increase in ambient

noise levels) to a less than significant level for the reasons set forth on pages 4.10-17 through 4.10-25 of the Draft EIR.

Transportation/Traffic.

Impact: Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and nonmotorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit.

Construction. As described on pages 4.12-9 through 4.12-11 of the Draft EIR, during the construction period, two types of construction traffic would be generated: construction employee trips and construction haul and delivery trips, with Phases 1A, 1C, 2, and 3 generating the most construction trips. Although construction activity during these phases of the proposed project are anticipated to generate more peak-hour trips than typical operations of the Church on a weekday (during the construction period), all study area intersections are anticipated to operate at satisfactory level of service (LOS) (defined as LOS C or better for signalized intersections and LOS D or better for unsignalized intersections) with the addition of construction traffic during the weekday peak hours (in compliance with the City's Municipal Code, no construction would occur on Sundays). Therefore, construction of the proposed project would not result in, or contribute to, a significant impact at any study area intersection.

In order to avoid traffic impacts associated with construction activities and damage along haul routes, the proposed project would be required to comply with Standard Condition 4.12.1, which stipulates that the Applicant's construction contractor will keep all haul routes used during the demolition and site preparation phases clean and free of debris and repair any damage to existing pavement, streets, curbs, or gutters along such routes and requires that the proposed project comply with a Construction Management Plan. With implementation of Standard Condition 4.12.1, impacts due to construction delivery and haul trips would be less than significant.

Operational Trip Generation. As described on pages 4.12-11 and 4.12-12 of the Draft EIR, trips generated by current church functions and activities are included in the existing counts. Church trip generation is based on its operations not building square footage. Church activities and schedules will remain the same; however, attendance is expected to grow from current conditions through project completion. Therefore, increases in attendance (people) have been utilized for purposes of the project trip generation. The proposed project has the potential to generate approximately 12 additional inbound weekday a.m. peak-hour trips, 18 additional outbound weekday p.m. peak-hour trips, and 106 additional Sunday peak-hour trips (57 inbound and 49 outbound) at buildout.

Existing Plus Project. As described on page 4.12-13 of the Draft EIR, all study area intersections are anticipated to operate at satisfactory LOS (defined as LOS C or better for signalized intersections and LOS D or better for unsignalized intersections) with the addition of project traffic during the weekday and Sunday peak hours. Therefore, the proposed project would not result in, or contribute to, a significant impact at any study area intersection, and no mitigation is required.

Construction Parking Analysis. As described on pages 4.12-13 through 4.12-16 of the Draft EIR, the proposed project would provide adequate weekday parking during each construction phase. However, a parking deficit would occur on Sundays during Phase 1A (101 spaces), Phase 1B (44 spaces), Phases 1B-E1 and 1B-E2 (46 spaces), Phase 1C (125 spaces), Phase 3 (47 spaces), Phase 4 (185 spaces), and Phase 5 (131 spaces). Although on-street parking spaces along portions of Crown Valley Parkway

between Camino Del Avion and Pacific Coast Highway (PCH) could be maintained during construction to assist in handling church parking and avoid spillover parking on adjacent neighborhoods, off-site parking will need to be secured by the Church in order to accommodate the Sunday parking demand during project construction (with the exception of Phase 2). Implementation of Mitigation Measure 4.12.1, which requires the Applicant to secure sufficient off-site parking on Sundays during those construction phases when the project site is projected to have insufficient on-site parking, would reduce the proposed project's parking deficiency during construction to a less than significant level. The off-site parking agreements would be reviewed and approved by the City prior to issuance of any permits for each phase.

Circulation and Access Analysis. As described on pages 4.12-16 and 17 of the Draft EIR, access to the project site would continue to be provided via a full-access driveway (the east leg of the signalized intersection of Crown Valley Parkway/Sea Island Drive) and a right-in-right-out (RIRO) driveway located south along Crown Valley Parkway. Results from a queuing analysis at the Crown Valley Parkway/Sea Island Drive–full-access driveway indicate that the northbound right-turn movement would not have a vehicle queue, and the southbound left-turn queues would not exceed four vehicles (or 88 ft) during the weekday or Sunday midday peak hours under the existing plus project scenario. Therefore, the existing 100 ft northbound right-turn pocket and 110 ft southbound left-turn pocket are adequate. The total westbound left-turn and westbound through/right-turn queues would not exceed 10 vehicles (or 220 combined ft) during the weekday or Sunday midday peak hours under the existing plus project scenario. Therefore, the existing 220 ft of westbound storage is adequate. Westbound (outbound) queues located on site would not affect Crown Valley Parkway.

Results from a queuing analysis of the northbound right-turn and westbound right-turn movements at the Crown Valley Parkway/RIRO driveway indicate that the uncontrolled northbound right-turn movement would not have a vehicle queue as there are no opposing turn movements at this location and that the westbound right-turn queue would not exceed one vehicle (or 22 ft) during the weekday or Sunday midday peak hours under the existing plus project scenario. Therefore, the existing 50 ft of northbound right-turn storage and the 25 ft of westbound right-turn storage are adequate. Westbound (outbound) queues at this location would not affect Crown Valley Parkway. No mitigation is required.

Standard Condition 4.12.1: Construction Management Plan. Prior to the issuance of demolition, grading or any construction permits, the project Applicant shall submit a Construction Management Plan for review and approval by the City of Dana Point (City) Engineer. The Construction Management Plan shall include, at a minimum, the following measures, which shall be implemented during all construction activities as overseen by the construction contractor:

- Traffic controls shall be implemented for any street closure, detour, or other disruption to traffic circulation.
- The routes that construction vehicles shall utilize for the delivery of construction materials (i.e., lumber, tiles, piping, windows, etc.) to access the site shall be identified; traffic controls and detours shall be identified; and the proposed construction phasing plan for the project shall be provided.
- The hours during which transport activities will occur shall be specified.
- Identify the haul route for the materials to be removed (i.e., concrete, soil, steel, etc.) during the demolition phase and/or soil import during the site preparation phase.
- Subject to the direction of the City's Traffic Engineer, haul operations associated with the materials export/soil import may be prohibited during the a.m. and p.m. peak commute periods (i.e., between 7:00 a.m. and 9:00 a.m. and between 4:00 p.m. and 6:00 p.m.).

- The Applicant shall keep all haul routes clean and free of debris including but not limited to gravel and dirt as a result of its operations. The Applicant shall clean adjacent streets, as directed by the City's Traffic Engineer (or representative of the City Engineer), of any material which may have been spilled, tracked, or blown onto adjacent streets or areas.
- Hauling or transport of oversize loads shall be allowed between the hours of 9:00 a.m. and 3:00 p.m. only, Monday through Friday, unless approved otherwise by the City Engineer. No hauling or transport shall be allowed during nighttime hours, weekends or Federal holidays.
- Use of local streets shall be prohibited.
- Haul trucks entering or exiting public streets shall at all times yield to public traffic.
- If hauling operations cause any damage to existing pavement, street, curb, and/or gutter along the haul route, the Applicant shall be fully responsible for repairs. The repairs shall be completed to the satisfaction of the City Engineer.
- All construction-related parking and staging of vehicles will be kept out of the adjacent public roadways and will occur on-site to the extent feasible.
- This Construction Management Plan shall meet standards established in the current *California Manual on Uniform Traffic Control Device (MUTCD)*, as well as City of Dana Point requirements.

Mitigation Measure 4.12.1: **Off-Site Shared Parking Agreement.** Prior to the issuance of any demolition, grading, or construction permits associated with any phase of the proposed project, the project Applicant shall obtain the City of Dana Point (City) Planning Commission's approval for an updated Parking Management Plan as detailed in Chapter 9.35 of the City's Zoning Ordinance. The Parking Management Plan shall include parking agreements to accommodate parking needs for each construction phase off-site or other means to provide required spaces on-site during each phase on Sundays in an amount equal to or greater than the following number of spaces for each phase:

- Phase 1A – 101 parking spaces;
- Phase 1B – 44 parking spaces;
- Phase 1B-E1 – 46 parking spaces;
- Phase 1B-E2 – 46 parking spaces;
- Phase 1C – 125 parking spaces (during the first 2 months of this phase);
- Phase 3 – 47 parking spaces;
- Phase 4 – 185 parking spaces; and
- Phase 5 – 131 parking spaces.

The off-site shared parking agreement for each construction phase shall be in effect until commencement of the following phase or until the Applicant demonstrates to the City's Community Development Director and Public Works Director, or designee, that the project site is able to provide adequate on-site parking to meet the proposed project's parking demand.

Finding: The standard condition and mitigation measure are feasible and would avoid or substantially reduce potentially significant impacts related to transportation/traffic (conflict with an applicable plan,

ordinance or policy establishing measures of effectiveness for the performance of the circulation system) to a less than significant level for the reasons set forth on pages 4.12-9 through 4.12-17 of the Draft EIR.

The City received several comments regarding the traffic analysis included in Section 4.12, Transportation/Traffic, of the Draft EIR, including comments regarding the selection of the study area intersections and turning movements into and out of the Monarch Bay Villas community adjacent to the project site. These issues were addressed in the Response to Comments in the Final EIR. While the responses included in the Final EIR provide additional information regarding the traffic analysis, they do not alter the significance findings contained in the Draft EIR.

D. SIGNIFICANT ENVIRONMENTAL EFFECTS THAT CANNOT BE MITIGATED TO A LESS THAN SIGNIFICANT LEVEL

As determined in the contents of this Final EIR, implementation of the Master Plan as originally proposed would not result in any significant and unavoidable adverse impacts. All potentially significant impacts are capable of being effectively mitigated to a less than significant level. As a result, no findings regarding the feasibility of project alternatives are required, nor is a statement of overriding considerations required as part of the project approvals.

III. ALTERNATIVES TO THE PROPOSED PROJECT

Despite the fact that the Master Plan as originally proposed and analyzed in the Draft EIR had no potentially significant impacts that could not be effectively reduced to a level of insignificance by adopting feasible mitigation measures, the Draft EIR included and analyzed two alternatives::

1. No Project/No Development (Alternative 1)
2. Reduced Project (Alternative 2)

Moreover, as discussed below, the Applicant requested that the City consider and approve a revised version of Alternative 2 instead of the originally proposed Master Plan. Therefore a discussion of the alternatives included in the Draft EIR is included and formal findings are made with respect to the Applicant's preferred alternative.

A. Alternative 1: No Project/No Development Alternative

Description. Consistent with Section 15126.6(e)(2) of the *State CEQA Guidelines*, the No Project/No Development Alternative (Alternative 1) assumed the existing land uses and condition of the project site at the time the NOP was published (February 2010) would continue to exist without changes. The setting of the project site at the time the NOP was published is described throughout Chapter 4.0 of this EIR with respect to individual environmental issues, and formed the baseline of the impact assessment of the proposed project. Alternative 1 represents the environmental conditions that would exist if no new development of any kind were to occur on the project site.

The draft EIR concluded that while all potentially significant impacts of the original proposed Master Plan could be mitigated to a level of insignificance, the No Project Alternative would be environmentally superior to the original proposed Master Plan because no new physical impacts would occur under this alternative. The No Project Alternative would have the least impact on the environment because none of the impacts associated with construction and operation of the proposed project would occur. While the No Project Alternative would lessen or avoid the impacts of the proposed project, the beneficial impacts of the

proposed project—including the provision of additional church facilities would not occur, and none of the project objectives would be met.

Specifically, as described on page 5-9 of the Draft EIR, the No Project/No Development Alternative would not achieve any of the six project objectives. Without the proposed project, the project site would not replace or expand existing facilities on the project site (Objectives 1 and 2). The No Project/No Development Alternative would not help the South Shores Church address the parking needs on Sunday (Objective 3) or help to provide adequate on-site parking and circulation for the church congregation and visitors of the Church (Objective 6). Additionally, because no development would occur under this alternative, no opportunities to address on-site geotechnical issues (Objective 4), or enhance the southeastern corner of the project site with a Landscaped Meditation Garden (Objective 5) would be provided.

B. Alternative 2: Reduced Project Alternative

Description. Alternative 2 as described and analyzed in the Draft EIR included the same proposed uses as the original proposed Master Plan analyzed in the Draft EIR, but proposed a reduction in new building square footage from 70,284 square feet (sf) to approximately 52,651 sf. Specifically, and as set forth in Table A below, Alternative 2 proposed a reduction in the Preschool/Administration Building from Preschool/Administration Building from 15,115 sf to 13,867 sf, the Community Life Center from 24,314 sf to 11,738, and Christian Education Building 2 from 15,456 sf to 9,788 sf. The only building proposed to increase in size was Christian Education Building 1 which was proposed to increase from 15,399 sf (proposed project) to 17,258 sf (reduced project). In addition, Alternative 2 proposed 47 fewer parking spaces than the Master Plan as originally proposed. The existing Sanctuary building would remain.

Table A: Reduced Project Alternative Square Footage

Proposed Master Plan Buildings	Existing or New Construction	First Floor Area (sf)	Second Floor Area (sf)	Total Building Area (sf)
Sanctuary	Existing Building	9,140	9,938	19,078
Total Area to Remain				**19,078**
Preschool/Administration Building	Proposed	7,841	6,026	13,867
Community Life Center	Proposed	11,738	N/A	11,738
Christian Education Building 1	Proposed	8,747	8,511	17,258
Christian Education Building 2	Proposed	4,963	4,825	9,788
Total New Construction				**52,651**
Total Master Plan Building Area		**42,429**	**29,300**	**71,729**

The Parking Structure would also be moved 10 ft to the north under Alternative 2, farther away from the Monarch Bay Villas bordering the southern perimeter of the project site. Similarly, the proposed Community Life Center would be located further east, away from the neighboring residential uses across Crown Valley Parkway. Alternative 2 would employ the same mechanical and structural techniques to resolve geotechnical issues on the northeastern portion of the project site.

Although the amount of building square footage would be reduced for Alternative 2, the operational characteristics (time of church activities and attendance at church events) would be similar to the Master Plan as originally proposed. The church uses would be accommodated within similar, but reduced overall building square footages.

Similar to the original proposed Master Plan, demolition and construction of Alternative 2 would occur in five phases over a 10-year period; however, construction activities would not occur continuously over 10 years. Also similar to the original proposed Master Plan, under Alternative 2, four of the existing ministry programs (the Wednesday morning bible study, the biweekly Friday morning ministry program, and the two small ministry programs held on Tuesday mornings) would be discontinued during construction due to the fact that this alternative is anticipated to result in temporary on-site parking deficiencies during construction. As such, an off-site shared parking program would also be required during construction of Alternative 2 and would be in effect during construction of the Master Plan to address these deficiencies. No parking deficiencies were anticipated to occur after the completion of this alternative.

C. Environmental Effects

Aesthetics. As described on pages 5-14 through 5-20 of the Draft EIR, similar to the original proposed Master Plan, Alternative 2 would have less than significant impacts related to aesthetics, light, and glare. As described on page 5-14 of the Draft EIR, during construction of this alternative, temporary construction fencing would be placed along the perimeter of the construction area on the project site to minimize potential impacts to scenic vistas and the surroundings. Therefore, impacts related to the visual character of the project site during project operation would be similar under Alternative 2 to what they would be under the Master Plan as originally proposed. .

As described on page 5-15 of the Draft EIR, although Crown Valley Parkway is designated within the vicinity of the project site as a Scenic Roadway for which view protection should be considered in the Conservation/Open Space Element of the City's General Plan, motorists and pedestrians traveling along Crown Valley Parkway would continue to enjoy views of the surrounding hills and distant open space following implementation of Alternative 2. Further, Alternative 2 would not result in damage related to scenic resources within a State-designated scenic highway given that the closest scenic highway to the project site is Pacific Coast Highway, which is currently only listed as an Eligible State Scenic Highway. Therefore, similar to the proposed project, potential impacts related to scenic resources within a State-designated scenic highway, and views to and from City-designated scenic corridors would be less than significant, and no mitigation would be required.

As described on pages 5-15 through 5-20 of the Draft EIR, similar to the proposed project, Alternative 2 would permanently alter the existing visual character and quality of the project site; however, this alternative would be of a height and scale that is compatible with surrounding development and would not have a massing that would significantly impact views. Under this alternative, the Community Life Center would be constructed at the allowable 35 ft height standard established in the City's Zoning Code. Foreground and background views from surrounding roadways, Crown Valley Parkway, the Salt Creek Bike Trail, and the Monarch Beach Golf Links would not be significantly impacted or obstructed by project implementation. Alternative 2 would result in visual changes to the project site associated with the demolition of existing church facilities (with the exception of the Sanctuary) and the construction of new church facilities. Implementation of this alternative would include landscaping that would shield views of the project site from Crown Valley Parkway. While this alternative would permanently alter the visual conditions of the project site and its surroundings, no significant impacts or complete obstructions of any views from the aforementioned view locations would occur, and no mitigation is required. Overall, the building massing on site proposed as part of Alternative 2 would be similar to, but reduced overall, as

compared to the proposed project. Alternative 2 would be constructed lower in height as compared to the proposed project. Overall, impacts related to the visual character of the project site under Alternative 2 would be less than for the proposed project.

As described on page 5-20 of the Draft EIR, similar to the proposed project, Alternative 2 would be required to comply with the City's lighting code. As such, lighting included as part of this Alternative 2 would not illuminate areas off site and would be shielded and directed downward. In addition, no reflective glass surfaces or structures would be included as part of Alternative 2. As such, similar to the proposed project, impacts related to light and glare in the project area would be less than significant under this alternative, and no mitigation would be required.

As described on page 5-20 of the Draft EIR, Alternative 2 would not result in significant impacts related to viewsheds, visual character, or lighting and glare. However, because the Alternative 2 includes reduced building square footage on the project site and would develop the Community Life Center at a reduced height compared to the proposed project, there would be fewer visual impacts under this alternative. As such, this alternative would be slightly superior to the proposed project.

The City received several comments regarding the aesthetics analysis included in Section 4.1, Aesthetics, of the Draft EIR. These commenters indicated that the proposed project failed to analyze its potential impacts on views from private properties in the vicinity of the project site and that the project would result in significant impacts on views from Crown Valley Parkway and the Salt Creek viewshed. These issues were addressed in Common Response No. 9, which can be found on pages 2-8 and 2-9 of the Final EIR. While the discussion included in Common Response No. 9 provides additional information regarding the aesthetics analysis, it does not alter the significance findings contained in the Draft EIR.

Air Quality. As described on page 5-20 of the Draft EIR, similar to the proposed project, Alternative 2 would have less than significant impacts related to air quality. Construction emissions associated with Alternative 2 would be reduced since the amount of building would be reduced under this alternative. Overall, air quality impacts would be incrementally reduced during construction when compared to the project due to the reduced amount of building square footage proposed as part of this alternative. Operational emissions would be similar to the proposed project for this alternative because the same number and intensity of church activities would occur even though the building square footage is reduced.

As described on pages 5-20 and 5-21 of the Draft EIR, because construction air quality emissions under Alternative 2 would be less than those associated with the proposed project, and operational emissions would be similar to the proposed project, and because the proposed project would be consistent with the Southern California Association of Government's (SCAG) Regional Comprehensive Plan (RCP) guidelines and the South Coast Air Quality Management District's (SCAQMD) Air Quality Management Plan (AQMP), Alternative 2 would also be consistent with SCAG's RCP and the SCAQMD's AQMP, like the proposed project. Further, Alternative 2 would not exceed significance thresholds for criteria pollutants with implementation of standard SCAQMD measures (Standard Conditions 4.2.1 and 4.2.2). Like the proposed project, no carbon monoxide (CO) hot spots would occur; therefore, there would be no impact under this alternative related to impacts on CO concentrations, and no mitigation would be required. In addition, because Alternative 2 would develop the project site with the same uses as the proposed project, this alternative would also not result in significant impacts related to objectionable odors. Overall, because there would be fewer construction-related air quality emissions under Alternative 2, this alternative would be slightly superior to the proposed project.

The following standard conditions would be applicable to Alternative 2, as well as the proposed project, to ensure that potential air quality impacts remain less than significant:

Standard Condition 4.2.1: **South Coast Air Quality Management District (SCAQMD) Rule 403 Measures.** The proposed project would be required to implement the following SCAQMD measures:

- Apply nontoxic chemical soil stabilizers shall be applied to all inactive construction areas (previously graded areas inactive for 10 days or more) according to manufacturers' specifications.
- Active sites shall be watered at least twice daily (locations where grading is to occur will be thoroughly watered prior to earthmoving).
- All trucks hauling dirt, sand, soil, or other loose materials are to be covered or should maintain at least 2 feet of freeboard in accordance with the requirements of California Vehicle Code (CVC) Section 23114 (freeboard means vertical space between the top of the load and the top of the trailer).
- Construction access roads shall be paved at least 30 meters (m) (100 ft) onto the site from the main road.
- Traffic speeds on all unpaved roads shall be reduced to 15 miles per hour (mph) or less.
- Recycle/reuse at least 50 percent of the construction material (including, but not limited to, soil, mulch, vegetation, concrete, lumber, metal, and cardboard).
- Use "green building materials" such as those materials that are rapidly renewable or resource-efficient, and recycled and manufactured in an environmentally friendly way, for at least 10 percent of the project, as defined on the California Department of Resources Recycling and Recovery (CalRecycle) website.

Standard Condition 4.2.2 **Title 24.** The proposed project would be required to comply with Title 24 of the California Code of Regulations (CCR) established by the California Energy Commission (CEC) regarding energy conservation and green building standards, including, but not limited to, green measures concerning project site design, water use reduction, improvement of indoor air quality, and conservation of materials and resources

Biological Resources. As described on page 5-22 of the Draft EIR, similar to the proposed project, Alternative 2 would have less than significant impacts related to biological resources. Alternative 2, like the proposed project, would preserve 0.12 ac of undisturbed coastal sage scrub and remove approximately 0.18 ac of disturbed coastal sage scrub in the northeastern portion of the project site. Therefore, because Alternative 2 would remove existing natural vegetation on the project site, Alternative 2 would include mitigation (Mitigation Measures 4.3.1 through 4.3.3) to reduce potential impacts associated with sensitive species on site (i.e., California gnatcatcher), the removal of coastal sage scrub, and nesting bird species. Following implementation of Mitigation Measures 4.3.1 through 4.3.3, Alternative 2 would be consistent with applicable goals and policies aimed at preserving and protecting sensitive plant and animal species, as established in the City's Conservation/Open Space Element of the General Plan. Further, implementation of Mitigation Measure 4.3.1 would ensure that the Reduced Project Alternative 2 would be consistent with the Orange County Natural Communities Conservation Plan/Habitat Conservation Plan (NCCP/HCP), which provides funding for land acquisition, weed control, soil preparation, planting native species,

supplemental irrigation, and other activities aimed at restoring, establishing, enhancing, and/or preserving covered coastal sage scrub species in the NCCP/HCP area.

Alternative 2, like the proposed project, would not have an impact on any federally protected wetlands as there are no riparian habitats or wetlands on the project site. Alternative 2 would result in the disruption/removal of the same amount of coastal sage scrub as the proposed project. Therefore, biological impacts associated with Alternative 2 are considered to be similar to the proposed project.

The following mitigation measures would be applicable to Alternative 2, as well as the proposed project, to ensure that potential impacts related to biological resources are reduced to a less than significant level:

Mitigation Measure 4.3.1: **Orange County Central and Coastal Subregion NCCP/HCP.** Prior to issuance of any demolition and/or grading permits, the project Applicant shall provide evidence to the City of Dana Point (City) Community Development Director, or designee, of in-lieu fees paid to the Nature Reserve of Orange County (NROC). The exact acreage of impact shall be determined during final site plan review, and a letter report documenting the acreage of coastal sage scrub impacts and fee calculation with provision of the fee to the Nature Reserve of Orange County shall be provided to CDFW and the United States Fish and Wildlife Service. The in-lieu fees shall be based on $65,000 per impacted acre or the most current in-lieu fee amounts. These fees are considered mitigation within signatory agencies of the Natural Communities Conservation Plan (NCCP)/Habitat Conservation Plan (HCP) per the City's Section 10(a) permit. In addition, the NCCP/HCP requires implementation of the following construction minimization measures during the authorized removal of coastal sage scrub habitat. The project Applicant shall retain a qualified biological monitor to assist with the implementation of these measures as approved by the City Community Development Director, or designee, prior to issuance of any demolition or grading permit, or any impacts on the on-site sensitive habitat.

- All natural vegetation shall only be removed outside the coastal California gnatcatchers breeding season (February 15 through July 15).
- Prior to the commencement of grading operations or other activities involving significant soil disturbance, all areas of coastal sage scrub habitat to be avoided under the provisions of the NCCP/HCP shall be identified with temporary fencing or other markers clearly visible to construction personnel. Additionally, prior to the commencement of grading operations or other activities involving disturbance of coastal sage scrub, a survey shall be conducted to locate coastal California gnatcatchers and cactus wrens within 100 feet (ft) of the outer extent of projected soil disturbance activities, and the locations of any such species shall be clearly marked and identified on the construction/grading plans.
- A monitoring biologist, acceptable to USFWS/CDFW, shall be on site during any clearing of coastal sage scrub. The project Applicant or relevant public agency/utility shall advise USFWS/CDFW at least seven (7) calendar days (and preferably fourteen [14] calendar days)

prior to the clearing of any habitat occupied by Identified Species to allow USFWS/CDFW to work with the monitoring biologist in connection with bird flushing/capture activities. The monitoring biologist shall flush Identified Species (avian or other mobile Identified Species) from occupied habitat areas immediately prior to brush-clearing and earth-moving activities. If birds cannot be flushed, they shall be captured in mist nets, if feasible, and relocated to areas of the site to be protected or to the NCCP/HCP Reserve System. It shall be the responsibility of the monitoring biologist to assure that identified bird species shall not be directly impacted by brush-clearing and earth-moving equipment in a manner that also allows for construction activities on a timely basis.

- Following the completion of initial grading/earth movement activities, all areas of coastal sage scrub habitat to be avoided by construction equipment and personnel shall be marked with temporary fencing or other appropriate markers clearly visible to construction personnel. No construction access, parking, or storage of equipment or materials shall be permitted within such marked areas.
- Coastal sage scrub identified in the NCCP/HCP for protection and located within the likely dust drift radius of construction areas shall be periodically sprayed with water to reduce accumulated dust on the leaves as recommended by the monitoring biologist.

Mitigation Measure 4.3.2: **Avoidance of Invasive Nonnative Plant Species.** Prior to issuance of any grading or construction permits, the project Applicant shall provide a final landscape plan for review and approval by the City Community Development Director, or designee, and the City Public Works Director. The final landscape plan shall not include any invasive nonnative plant species on site in association with landscaping and/or redevelopment of the site. For the purposes of this mitigation, invasive nonnative plants are considered those plant species rated as "High" or "Moderate" in the California Invasive Plant Council (CAL-IPC) Invasive Plant Inventory.

Mitigation Measure 4.3.3: **Migratory Bird Treaty Act (MBTA).** In the event that project construction or grading activities occur within the active breeding season for birds (i.e., February 15 through August 15), a nesting bird survey shall be conducted by a qualified biologist prior to commencement of construction activities. If active nesting of birds is observed within 100 ft of the designated construction area prior to construction, the construction crew shall establish an appropriate buffer around the active nest. A qualified biologist shall determine the buffer distance based on the specific nesting bird species and circumstances involved. Once the designated project biologist verifies that the birds have fledged from the nest, the buffer may be removed. Prior to issuance of any grading or building permits, the City Community Development Director, or designee, shall verify that all project grading and construction plans include specific documentation regarding the requirements of the MBTA, that preconstruction surveys have been completed and the results reviewed by staff, and that the appropriate buffers (if needed) are noted on the plans and established in the field with orange snow fencing.

Cultural Resources. As described on page 5-24 of the Draft EIR, similar to the proposed project, Alternative 2 would not significantly impact cultural resources. No archaeological, paleontological, or historical resources are known to exist at the project site. However, similar to the proposed project, Alternative 2 would be required to adhere to mitigation (Mitigation Measures 4.4.1 and 4.4.2) to reduce impacts to any unknown archaeological or paleontological resources that may be uncovered during implementation of this alternative. Alternative 2, like the proposed project, would also be required to implement Mitigation Measure 4.4.3, which requires compliance with Health and Safety Code (HSC) 7050.5 in the unlikely event that human remains are encountered during grading. Therefore, with implementation of Mitigation Measures 4.1.1 through 4.4.3, this alternative's impacts to cultural resources would, similar to the proposed project, be less than significant.

The following mitigation measures would be applicable to Alternative 2, as well as to the proposed project, to ensure that potential impacts related to cultural and paleontological resources are reduced to a less than significant level:

Mitigation Measure 4.4.1: **Archaeological Monitors.** Prior to issuance of grading permits, and in adherence to the recommendations of the cultural resources survey, the project Applicant shall retain a qualified archaeological monitor, subject to review and approval by the City of Dana Point (City) Community Development Director, or designee. This monitor shall be present at the pregrade conference in order to explain the cultural mitigation measures associated with the proposed project. The monitor, in conjunction with the City and the project Applicant will prepare a plan that includes: (1) a description of circumstances that would result in the halting of work at the project site (e.g., what is considered a "significant" archaeological site); (2) a description of procedures for halting work on site and notification procedures; and (3) a description of monitoring reporting procedures. If any significant historical resources, archaeological resources, or human remains are found during monitoring, work shall stop within the immediate vicinity (precise area to be determined by the archaeologist in the field) of the resource until such time as the resource can be evaluated by an archaeologist and any other appropriate individuals. Project personnel shall not collect or move any archaeological materials or human remains and associated materials. To the extent feasible, project activities shall avoid these deposits. Where avoidance is not feasible, the archaeological deposits shall be evaluated for their eligibility for listing in the California Register of Historic Places. If the deposits are not eligible, avoidance is not necessary. If the deposits are eligible, adverse effects on the deposits must be avoided, or such effects must be mitigated. Mitigation can include, but is not necessarily limited to, the following: excavation of the deposit in accordance with a data recovery plan (see California Code of Regulations Title 4(3) Section 5126.4(b)(3)(C)) and standard archaeological field methods and procedures; laboratory and technical analyses of recovered archaeological materials; production of a report detailing the methods, findings, and significance of the archaeological site and associated materials; curation of archaeological materials at an appropriate facility for future research and/or display; an interpretive display of recovered archaeological materials at a local school, museum, or library; and public lectures at local schools and/or historical societies

on the findings and significance of the site and recovered archaeological materials.

Mitigation Measure 4.4.2: **Paleontological Resources Impact Mitigation Program.** The Applicant shall retain a qualified paleontologist, subject to the review and approval of the City of Dana Point's (City) Community Development Director, or designee, to prepare a Paleontological Resources Impact Mitigation Program (PRIMP) for the proposed project prior to issuance of any grading permits. The PRIMP shall be consistent with the guidelines of the Society of Vertebrate Paleontology (SVP) and shall include, but not be limited to, the following:

- The paleontologist, or his/her representative, shall attend a preconstruction meeting.
- A qualified paleontological monitor working under the direction of an Orange County certified paleontologist shall "spot check" grading within the project site. Initially, spot checks are recommended for 2 to 3 hours twice per week during grading. If fossil resources are noted during the spot check, the monitoring level shall be increased to full time for the remaining duration of the grading.
- In the event that paleontological resources are encountered when a paleontological monitor is not present, work in the immediate area of the find shall be redirected and the paleontologist contacted to assess the find for scientific significance. The paleontologist shall make recommendations as to whether monitoring shall be required in these sediments on a full-time basis.
- Collected resources shall be prepared to the point of identification and permanent preservation in accordance with the recommendations of the *Paleontological Resources Assessment* (Appendix D). This includes washing and picking of mass samples to recover small vertebrate and invertebrate fossils and removal of surplus sediment around larger specimens to reduce the storage volume for the repository and the storage cost for the developer.
- Any collected resources shall be cataloged and curated into the permanent collections of an accredited scientific institution in accordance with the recommendations of the *Paleontological Resources Assessment.*
- At the conclusion of the monitoring program, a report of findings with an appended inventory of specimens shall be prepared. When submitted to the City, the report and inventory shall signify completion of the program to mitigate impacts to paleontological resources in accordance with the recommendations of the *Paleontological Resources Assessment.*

Mitigation Measure 4.4.3: **Human Remains.** Consistent with the requirements of the California Code of Regulations (CCR) Section 15064.5(e), if human remains are encountered during site disturbance, grading, or other construction activities on the project site, work within 25 feet of the discovery shall be

redirected and the County of Orange (County) Coroner notified immediately. No further disturbance shall occur until the County Coroner has made a determination of origin and disposition pursuant to Public Resources Code Section 5097.98. If the remains are determined to be Native American, the County Coroner shall notify the Native American Heritage Commission (NAHC), which will determine and notify a most likely descendant (MLD). With the permission of the City of Dana Point (City), the MLD may inspect the site of the discovery. The MLD shall complete the inspection within 48 hours of notification by the NAHC. The MLD may recommend scientific removal and nondestructive analysis of human remains and items associated with Native American burials. Consistent with CCR Section 15064.5(d), if the remains are determined to be Native American and an MLD is notified, the City shall consult with the MLD as identified by the NAHC to develop an agreement for the treatment and disposition of the remains.

Upon completion of the assessment, the consulting archaeologist shall prepare a report documenting the methods and results and provide recommendations regarding the treatment of the human remains and any associated cultural materials, as appropriate, and in coordination with the recommendations of the MLD. The report shall be submitted to the City Community Development Director, or designee, and the South Central Coastal Information Center. The City's Community Development Director, or designee, shall be responsible for reviewing any reports produced by the archaeologist to determine the appropriateness and adequacy of findings and recommendations.

Geology and Soils. As described on page 5-27 of the Draft EIR, similar to the proposed project, Alternative 2 would have less than significant impacts related to liquefaction and the rupture of a known earthquake fault as there are no known active or potentially active faults near the project site. However, as with all of Southern California, the project is subject to strong ground motion resulting from nearby faults. Therefore, similar to the proposed project, Alternative 2 would be required to implement mitigation requiring the Applicant to comply with the recommendations in the *Geotechnical Evaluations* (prepared by LGC Geotechnical, Inc., May and December, 2013), and the most current California Building Code (CBC).

As described on pages 5-27 and 5-28 of the Draft EIR, Alternative 2 would develop the project site with structures north of the existing Sanctuary, in an area that is subject to potential landslides. As such, similar to the proposed project, Alternative 2 would employ the use of retaining walls and a caisson/tieback array along the northeast portion (Mitigation Measure 4.5.1) to minimize impacts related to landslides in this area of the project site. Alternative 2, like the proposed project, would be subject to potential impacts related to landslides and expansive soils. As such, Alternative 2 would be required to incorporate the recommendations outlined in the *Geotechnical Evaluations*, as stipulated in Mitigation Measure 4.5.1 to reduce potential impacts related to landslides and expansive soils to a less than significant level. Alternative 2 would also comply with Mitigation Measure 4.5.2, which requires ongoing slope maintenance procedures during project duration to reduce impacts associated with the potential failure of the slopes on the northeastern portion of the project site. Therefore, with mitigation, impacts related to landslides and expansive soils would be similar to the proposed project under Alternative 2.

As described on page 5-28 of the Draft EIR, similar to the proposed project, Alternative 2 would result in soil exposure during project construction. As such, Alternative 2 would be required to comply with Mitigation Measures 4.8.1 and 4.8.2 (refer to Section 4.8, Hydrology and Water Quality) to reduce impacts

related to soil erosion and topsoil. In addition, Alternative 2 would be required to implement Mitigation Measure 4.5.3, which requires additional soil testing and analysis to address the potential impacts of corrosive soils on the construction of this alternative. Should such measures be necessary, they will be conditioned with Alternative 2. Therefore, with mitigation, impacts related to soil exposure and corrosive soils on site would be similar to the proposed project under Alternative 2.

As described on page 5-28 of the Draft EIR, the project site is not located within an area of potential liquefaction, and is not considered to have a potential risk for lateral spreading, subsidence, or soil collapse based on the soil types underlying the project site. Therefore, similar to the proposed project, no impact related to lateral spreading, subsidence, liquefaction, or collapse would occur under the Alternative 2, and no mitigation would be required.

As described on page 5-28 of the Draft EIR, construction and excavation activities associated with implementation of this alternative would be slightly reduced as compared to those associated with the proposed project due to the reduction in overall building square footage. Therefore, although the same mitigation is applicable to Alternative 2 as the proposed project, overall impacts to geology and soils can be considered comparable to, but slightly less for this alternative than for the proposed project.

The City received several comments that expressed concerns regarding the seismic and geologic stability of the project site and adjacent hillside terrain. These issues were addressed in Common Response No. 12, which can be found on pages 2-11 and 2-12 of the Final EIR. While the discussion included in Common Response No. 12 provides additional information regarding the geotechnical analysis and landslide risks, it does not alter the significance findings contained in the Draft EIR.

The following mitigation measures would be applicable to Alternative 2, as well as the proposed project, to ensure that potential geology and soils impacts are reduced to a less than significant level:

Mitigation Measure 4.5.1 **Incorporation of and compliance with the recommendations in the *Geotechnical Evaluation.*** All grading operations and construction shall be conducted in conformance with the recommendations included in the geotechnical evaluation on the proposed project site that has been prepared by LGC Geotechnical, Inc., titled *Geotechnical Evaluation and Slope Stabilization Design for Environmental Impact Report Purposes, for Proposed Structures at the South Shores Church, City of Dana Point, California* (May 20, 2013) and *Supplemental Geotechnical Slope Stabilization Design* by LGC (December 5, 2013) as applicable, or any subsequent geotechnical evaluation prepared for the project. When finalized plans for the proposed development are approved the geotechnical consultant shall perform a review of the plans and any additional work in order to provide a construction level geotechnical report addressing full ground stabilization, foundation, and grading recommendations. Design, grading, and construction shall be performed in accordance with the requirements of the City of Dana Point (City) Municipal Code and the California Building Code (CBC) applicable at the time of grading, appropriate local grading regulations, and the recommendations of the project geotechnical consultant as summarized in a final written report, subject to review and approval by the Director of Public Works, or designee, prior to issuance grading permits.

Specific recommendations in the geotechnical evaluations address the following and shall be incorporated into the final project plans and construction level geotechnical report:

1. Mechanical slope stabilization
2. Tieback access excavation
3. Retaining walls for the Community Life Center and Christian Education building
4. Retaining walls for the Pre-School/Administration building and Meditation Garden
5. Existing crib wall
6. Parking structure
7. Deepened foundations for top-of-slope structures
8. Site earthwork
9. Geotechnical consultant role during construction
10. Temporary stability
11. Subsurface drainage
12. Grading plan review

Grading plan review shall also be conducted by the Director of Public Works, or designee, prior to the start of grading to verify that the requirements developed during the geotechnical evaluation have been appropriately incorporated into the project plans. Design, grading, and construction shall be conducted in accordance with the specifications of the project geotechnical consultant as summarized in a final report based on the CBC applicable at the time of grading and building and the City Municipal Code. On-site inspection during grading shall be conducted by the project geotechnical consultant and the Director of Public Works, or designee, to ensure compliance with geotechnical specifications as incorporated into project plans.

Mitigation Measure 4.5.2

Maintenance of Unimproved Slopes. Prior to issuance of grading permits, the Applicant shall submit for review and approval by the City Director of Community Development and Director of Public Works a grading plan review report that includes a long-term slope maintenance program for the unimproved slopes, such as establishing plants, avoiding concentration of water to the subsurface, discouraging rodent activity, and repairing erosion rills. The Applicant shall demonstrate to the City Director of Community Development and Director of Public Works that he/she is prepared to implement all slope maintenance procedures described in the grading plan review report. All future transfers of the property shall have conditions requiring the recipient to assume responsibility for implementation of the slope maintenance program.

Mitigation Measure 4.5.3

Additional Testing and Analysis for Corrosive Soils. A final geotechnical design report, including the structural foundation designs,

shall be prepared by the project Applicant and submitted for review and approval by the City Community Development Director, City Public Works Director, or designee, prior to issuance of any construction permits. The final geotechnical design report shall include the results of additional soil testing and analysis to determine the corrosivity of the soils. The project engineer shall design the structural foundations in accordance with the results of the soil testing.

Global Climate Change. As described on page 5-30 of the Draft EIR, similar to the proposed project, Alternative 2 would have less than significant impacts related to GHG emissions and global climate change. Construction emissions under Alternative 2, like the proposed project, would occur over the short-term during construction activities and would not result in any significant GHG emissions. These construction emissions would be incrementally fewer under this alternative as compared to the proposed project due to the reduced amount of building square footage being constructed.

As described on page 5-30 of the Draft EIR, under the proposed project, operational GHG emissions would equate to a total of 1,500 metric tons (MT) of carbon dioxide equivalent (CO2e) (which equals 0.0015 million metric tons [MMT] of carbon dioxide equivalent per year [CO2e/yr]), which is 650 MT of CO2e/yr more than the existing conditions. For comparison, the existing emissions from the entire SCAG region (2010) are estimated to be approximately 224.6 MMT of CO2e/yr, and the existing emissions for the entire State (2008) are estimated to be approximately 480.9 MMT of CO2e/yr. Therefore, because Alternative 2 would include on-site uses similar to those proposed as part of the proposed project, operational emissions would be similar to the 1,500 MT of CO2e generated but slightly less than that of the proposed project.

As described on pages 5-30 and 5-31 of the Draft EIR, the proposed project would result in 0.0015 MMT of CO2e/yr from the proposed project, less than 0.001 percent of the State total. As such, the project's GHG emissions are not anticipated to result in GHG emission levels that would substantially conflict with implementation of the GHG reduction goals under Assembly Bill (AB) 32 or other State regulations or conflict with the City's General Plan Conservation/Open Space Element (1991) goal of reducing air pollution through land use, transportation, and energy use planning (Goal 5). Therefore, because Alternative 2 would result in fewer GHG emissions than the proposed project, this alternative would also be consistent with applicable plans and policies aimed at reducing GHG emissions. Further, Alternative 2, similar to the proposed project, would comply with reduction goals identified in AB 32, the Governor's EO S-3-05, and other strategies to help reduce GHGs to the level proposed by the Governor through the implementation of Project Design Feature 4.6.1.

Overall, with implementation of Project Design Feature 4.6.1, Alternative 2 would be superior to the proposed project because there would be incrementally fewer GHG emissions.

The following Project Design Feature would be applicable to Alternative 2, as well as the proposed project, to ensure that potential GHG emission impacts remain less than significant:

Project Design Feature 4.6.1 To ensure that the proposed project complies with and would not conflict with or impede the implementation of reduction goals identified in Assembly Bill (AB) 32, the Governor's Executive Order (EO) S-3-05, and other strategies to help reduce greenhouse gases (GHGs) to the level proposed by the Governor, the project will implement a variety of measures that will further reduce its greenhouse gas (GHG) emissions. To the extent feasible, and to the satisfaction of the City of Dana Point (City), the following measures will be incorporated into the design and construction of the project (including specific building projects):

- **Construction and Building Materials.** Divert at least 50 percent of the demolished and/or grubbed construction materials (including, but not limited to, soil, vegetation, concrete, lumber, metal, and cardboard).
- **Energy Efficiency Measures.** Design all project buildings to comply with the California Building Code's (CBC) Title 24 energy standard, such as installing energy-efficient heating and cooling systems, appliances and equipment, and control systems.
- **Water Conservation and Efficiency Measures.** Devise a comprehensive water conservation strategy appropriate for the project and its location. The strategy may include the following, plus other innovative measures that may be appropriate:
  - Create water-efficient landscapes within the development.
  - Install water-efficient irrigation systems and devices, such as soil moisture-based irrigation controls.
  - Restrict watering methods (e.g., prohibit systems that apply water to nonvegetated surfaces) and control runoff.

Hazards and Hazardous Materials. As described on page 5-32 of the Draft EIR, similar to the proposed project, Alternative 2 would have less than significant impacts related to hazards and hazardous materials. Due to the fact that there are no hazardous materials sites on the project site, neither the proposed project nor Alternative 2 would develop the project on a hazardous materials site that would create a potential hazard to the public or environment. Further, because the project site is located approximately 15 miles southeast of the nearest public airport (i.e., John Wayne Airport) and because there are no private airports near the project site, neither the proposed project nor Alternative 2 would result in safety hazards by placing a development within an area covered by an airport land use plan.

As described on page 5-32 of the Draft EIR, although there would be reduced construction required for Alternative 2, construction activities under Alternative 2 would involve the routine use of hazardous materials such as vehicle fuels, oils, and transmission fluids. As such, Alternative 2 would be required to implement mitigation measures to reduce impacts associated with unknown asbestos-containing materials and lead-based paint (Mitigation Measure 4.7.1), as well as comply with regulations for handling hazardous materials during construction activities (Mitigation Measure 4.7.2). Due to the fact that Alternative 2, like the proposed project, includes an on-site Preschool facility, this alternative would also be required to implement Mitigation Measures 4.7.1 and 4.7.2 to ensure that construction of the proposed project would not result in any hazardous emissions that would impact the on-site Preschool or any other schools within 0.25 mile of the project site. Therefore, with mitigation, Alternative 2 would result in similar impacts as the proposed project related to hazards and hazardous materials during project construction.

As described on page 5-32 of the Draft EIR, neither the proposed project nor Alternative 2 would result in significant adverse impacts related to hazardous materials during project operation due to the fact that the proposed project and Alternative 2 would only involve the use of potentially hazardous materials typical of church and education facilities (e.g., solvents, cleaning agents, paints, and pesticides). These materials, when used properly, would not produce hazardous emissions or result in the handling of acutely hazardous materials, substances, or waste. Therefore, compliance with applicable regulations would ensure that operation of Alternative 2 would result in a less than significant hazard to the public or the environment

through reasonably foreseeable upset and accident conditions related to the release of hazardous materials during operation, and no mitigation is required. Therefore, Alternative 2 would result in similar impacts as the proposed project related to hazards and hazardous materials during project operation.

As described on page 5-32 of the Draft EIR, Alternative 2, like the proposed project, would provide adequate access for emergency vehicles, would meet all design requirements established by the OCFA, and would not include design features that would physically interfere with emergency response or evacuation. Therefore, implementation of this alternative would not impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan and impacts are considered less than significant, similar to the proposed project. No mitigation is required.

Overall, impacts related to hazardous materials are considered the same for Alternative 2 as for the proposed project.

The following mitigation measures would be applicable to Alternative 2, as well as the proposed project, to ensure that potential impacts related to hazards and hazardous materials are reduced to a less than significant level:

Mitigation Measure 4.7.1: **Predemolition Surveys.** Prior to commencement of demolition activities, the City of Dana Point (City) Building Official, or designee, shall verify that predemolition surveys for asbestos-containing materials (ACMs) and lead-based paints (LBPs) (including sampling and analysis of all suspected building materials) and inspections for polychlorinated biphenyl (PCB)-containing electrical fixtures shall be performed. All inspections, surveys, and analyses shall be performed by appropriately licensed and qualified individuals in accordance with applicable regulations (i.e., American Society for Testing and Materials (ASTM) E 1527-05, and 40 Code of Federal Regulations (CFR), Subchapter R, Toxic Substances Control Act [TSCA], Part 716). If the predemolition surveys do not find ACMs, LBPs, or PCB-containing electrical fixtures, the inspectors shall provide documentation of the inspection and its results to the City Building Department to confirm that no further abatement actions are required.

If the predemolition surveys find evidence of ACMs, LBPs, or PCB-containing electrical fixtures, all such materials shall be removed, handled, and properly disposed of by appropriately licensed contractors according to all applicable regulations during demolition of structures (40 CFR, Subchapter R, TSCA, Parts 745, 761, and 763). Air monitoring during these predemolition surveys shall be completed by appropriately licensed and qualified individuals in accordance with applicable regulations both to ensure adherence to applicable regulations (e.g., South Coast Air Quality Management District [SCAQMD]) and to provide safety to workers and the adjacent community.

The City shall provide documentation (e.g., all required waste manifests, sampling, and air monitoring analytical results) to the County of Orange Environmental Health Division showing that abatement of any ACMs, LBPs, or PCB-containing electrical fixtures identified in these structures has been completed in full compliance with all applicable regulations and approved by the appropriate regulatory agency(ies) (40 CFR, Subchapter R, TSCA, Parts 716, 745, 761, 763, and 795 and California Code of

Regulations [CCR] Title 8, Article 2.6). An Operating & Maintenance (O&M) Plan shall be prepared for any ACM, LBP, or PCB-containing fixtures to remain in place and will be reviewed and approved by the County of Orange Environmental Health Division.

Mitigation Measure 4.7.2: **Contingency Plan.** Prior to commencement of grading activities, the Director of the Orange County Environmental Health Division, or designee, shall review and approve a contingency plan that addresses the potential to encounter on-site unknown hazards or hazardous substances during demolition and construction activities. The plan shall indicate that if construction workers encounter underground tanks, gases, odors, uncontained spills, or other unidentified substances, the contractor shall stop work, cordon off the affected area, and notify the Orange County Fire Authority (OCFA). The OCFA responder shall determine the next steps regarding possible site evacuation, sampling, and disposal of the substance consistent with local, State, and federal regulations.

Hydrology and Water Quality. As described on page 5-34 of the Draft EIR, similar to the proposed project, construction of Alternative 2 could potentially impact water quality related to erosion and pollutants. However, compliance with regulatory requirements and mitigation would ensure these impacts would be less than significant. Specifically, Mitigation Measure 4.8.1 requires the preparation of a Storm Water Pollution Prevention Plan (SWPPP) and compliance with the Construction General Permit, and Mitigation Measure 4.8.2 requires the preparation of erosion control plans that would detail Best Management Practices (BMPs) to be implemented during project construction. Water quality impacts associated with construction would be similar to the proposed project since all structures on the project site, with the exception of the existing Sanctuary, would be demolished and excavation would still occur under this alternative.

As described on page 5-34 of the Draft EIR, similar to the proposed project, Alternative 2 would implement an underground detention system to treat on-site runoff. Because Alternative 2 would develop the project site with less building square footage, this alternative would increase the amount of impervious area to a lesser amount than the proposed project (approximately 7,287 sf less than the proposed project). Although this alternative would result in the conversion of less pervious area to impervious area than the proposed project, Alternative 2 would be required to comply with mitigation to ensure impacts related to runoff following implementation of Alternative 2 would be less than significant. Specifically, Mitigation Measure 4.8.3 requires the implementation of BMPS consistent with the City's Model Water Quality Management Plan (WQMP) to treat runoff prior to discharge into the Salt Creek, which is a City-designated Environmentally Sensitive Area. As such, with implementation of Mitigation Measure 4.8.3, impacts for Alternative 2 related to runoff and downstream aquatic, wetlands, and/or riparian habitats would be less than significant. Therefore, because this alternative would result in the conversion of less pervious area than the proposed project, Alternative 2 would result in incrementally fewer impacts related to runoff than the proposed project.

As described on page 5-34 of the Draft EIR, construction of Alternative 2, similar to the proposed project, could also result in the infiltration of groundwater; however, because these activities would be temporary, construction impacts would not adversely impact groundwater recharge. Groundwater extraction would not be required during the operation of Alternative 2. Therefore, impacts related to groundwater would be similar under Alternative 2 as those under the proposed project.

As described on page 5-35 of the Draft EIR, neither the proposed project nor Alternative 2 would place housing or structures within a 100-year flood hazard area or within an area subject to the risk of failure of

a dam or levee. Further, the project site is not within an area subject to impacts related to inundation associated with a seiche or tsunami. Therefore, there would be no impacts under Alternative 2, like the proposed project, related to placement of housing or structures within an area subject to flooding or inundation associated with a seiche or tsunami, and no mitigation is required.

Overall, impacts related to hydrology and water quality for Alternative 2 would be similar to, although incrementally reduced due to the construction of a smaller building footprint for, the proposed project.

The City received several comments claiming that various drainage features and conditions occurring on the project site were/are causing unlawful erosion and sedimentation deposits into storm drain facilities which ultimately discharge into Salt Creek. Several of these comments suggested the Applicant has failed to properly maintain the existing drainage system and that the existing drainage system is insufficient to accommodate existing runoff from the project site and surrounding properties. While most of these comments relate to the maintenance of existing storm water facilities, some comments also suggested that runoff from the proposed project would exceed the capacity of the existing and proposed drainage system serving the project site, resulting in erosion, sedimentation, landslide risks, and degraded water quality. These issues were addressed in Common Response No. 6, which can be found on pages 2-5 through 2-7 of the Final EIR.

The City also received several comments regarding the proposed project's compliance with water quality regulations and implementation of best management practices (BMPs). These issues were addressed in Common Response No. 13, which can be found on pages 2-12 through 2-16 of the Final EIR. While the discussion included in Common Response No. 13 provides additional information regarding the hydrology and water quality analysis and provides clarification regarding applicable regulations and proposed BMPs, it does not alter the significance findings contained in the Draft EIR.

The following mitigation measures would be applicable to Alternative 2, as well as the proposed project, to ensure potential impacts related to hydrology and water quality are reduced to a less than significant level:

Mitigation Measure 4.8.1: **Construction General Permit.** Prior to issuance of a grading permit, the Applicant shall obtain coverage under the *State Water Resources Control Board National Pollutant Discharge Elimination System General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities* (Order No. 2009-0009-DWQ, Permit No. CAS000002) (Construction General Permit [CGP]). The Applicant shall provide the Waste Discharge Identification Number to the City of Dana Point (City) Director of Public Works to demonstrate proof of coverage under the CGP. A Storm Water Pollution Prevention Plan (SWPPP) shall be prepared and implemented for the project in compliance with the requirements of the CGP. The SWPPP shall identify construction Best Management Practices (BMPs) to be implemented to ensure that the potential for soil erosion and sedimentation is minimized and to control the discharge of pollutants in storm water runoff as a result of construction activities. Erosion, Sediment, Wind, and Temporary Tracking Control BMPs that may be implemented include, but are not limited to, the following:

- Scheduling
- Preservation of existing vegetation

- Hydraulic mulch
- Hydroseeding
- Soil binders
- Straw mulch
- Geotextiles and mats
- Wood mulching
- Earth dikes and drainage swales
- Velocity dissipation devices
- Slope drains
- Streambank stabilization
- Compost blankets
- Soil preparation/roughening
- Non-vegetative stabilization
- Silt fences
- Sediment basins
- Sediment traps
- Check dams
- Fiber rolls
- Gravel bag berms
- Street sweeping and vacuuming
- Sandbag barriers
- Straw bale barriers
- Storm drain inlet protection
- Active treatment systems
- Temporary silt dikes
- Compose socks and berms
- Biofilter bags
- Stabilized construction entrances/exits
- Stabilized construction roadways
- Entrance/outlet tire washes

Mitigation Measure 4.8.2: **Erosion Control Plan.** In compliance with Chapter 8.01 of the City Municipal Code, during construction, the Applicant shall submit an erosion control plan annually by September 1 to the City Director of Public Works. The erosion control plans shall be prepared in accordance with Subarticle 13 of City Grading Manual. The Erosion Control Plan shall include, but not be limited to, the following:

- The name and 24 hour telephone number of the person responsible for performing emergency erosion control work.
- The signature of the civil engineer or other qualified individual who prepared the grading plan and who is responsible for inspection and monitoring of the erosion control work.
- All desilting and erosion protection facilities necessary to protect adjacent property from sediment deposition.
- The streets and drainage devices that shall be completed and paved by October 15 of each year.
- The placement of sandbags or gravel bags. Slope planting or other measures to control erosion from all slopes above and adjacent to roads open to the public. Gravel bags are preferred over sandbags.
- The plan shall indicate how access shall be provided to maintain desilting facilities during wet weather.

Mitigation Measure 4.8.3: **Water Quality Management Plan.** Prior to issuance of grading permits, the Applicant shall submit a Final Water Quality Management Plan (WQMP) to the City Director of Public Works for review and approval. The WQMP shall be consistent with the City's Model Water Quality Management Plan (Model WQMP) and the project's preliminary WQMP, as conceptually approved on January 14, 2013. Project-specific Low-Impact Development, Detention/Biofiltration Site Design, Source Control, or Treatment Control BMPs contained in the Final WQMP shall be incorporated into final design and comply with the Model WQMP requirements in effect at the time of submittal of each phase. The BMPs shall be properly designed and maintained to target pollutants of concern and reduce runoff from the project site. The WQMP shall include an operations and maintenance (O&M) Plan for the prescribed BMPs to ensure their long-term performance. Operation and inspection requirements for the Low-Impact Development, Detention/Biofiltration Site Design, Source Control, or Treatment Control BMPs shall be included. The O&M Plan shall include, but not be limited to, the following requirements:

- Operation and maintenance records shall be retained a minimum of 5 years.
- Training and educational activities and BMP operation and maintenance shall be documented to verify compliance with the O&M Plan.
- A WQMP Verification Form shall be submitted to the City of Dana Point annually by September 1.
- BMPs shall be inspected for standing water on a regular basis.
- Operation and inspection requirements for the Low-Impact Development, Detention/Biofiltration Site Design, Source Control, or Treatment Control BMPs shall be included.

Land Use. As described on pages 5-37 and 5-38 of the Draft EIR, similar to the proposed project, Alternative 2 would have less than significant impacts related to land use and planning; however, Alternative 2 would not require a height variance. The project site is currently developed with existing South Shores Church facilities; therefore, because Alternative 2, like the proposed project, would develop the project site with expanded church facilities, this alternative would not physically divide an established community. Alternative 2 would also be consistent with applicable goals and policies from the Orange County NCCP/HCP and the SCAG's RCP, as well as the City's General Plan, Local Coastal Program, and the City's Zoning Code. However, unlike the proposed project, Alternative 2 would not require a variance to allow for building heights greater than the 35 ft, as proposed for the Community Life Center under the proposed project. Therefore, because no height variance would be required, overall impacts related to land use and height for Alternative 2 would be less than for the proposed project.

The City received several comments suggesting that the proposed project would not comply with the City's development standards of zoning code, and that this would result in structures incompatible with the existing size and scale of structures in the surrounding community. Many of the underlying concerns of commenters regarding the description of the Parking Structure appeared to relate to the height and massing of the Parking Structure in relation to surrounding development rather than its gross floor area. The second and third paragraphs on page 3-13 of the Draft EIR provide information regarding the height of the proposed Parking Structure. The third paragraph on page 4.1-14 of the Draft EIR notes that the height and massing associated with the proposed project would be an increase from the existing structures on the project site, but would not be visually inconsistent with the heights and massing of the current development in the surrounding area, which is generally characterized by low- to medium-density uses comprising one and two-story buildings. Further, it should be noted that the setbacks for the Parking Structure meet, and exceed, the development standards for the project site. These issues were addressed in Common Response No. 11, which can be found on pages 2-10 and 2-11 of the Final EIR.

Common Response No. 11 notes that Alternative 2 would maintain a FAR of 0.29:1, which is below the City's standard allowable FAR of 0.4:1 in the CF zone. Unlike the proposed project, Alternative 2 would conform to the established building height standard.

As described in Section 4.1, Aesthetics, all new buildings constructed as part of the proposed project would be constructed in the Mediterranean style of architecture and would be developed at a scale and mass consistent with the existing Sanctuary and the surrounding neighborhood. The height and massing associated with the proposed project would be an increase from the existing structures on the project site, but the proposed project would not be visually inconsistent with the heights and massing of the current development comprised of one and two-story buildings. While the discussion included in Common Response No. 11 provides additional information regarding the land use and planning analysis, it does not alter the significance findings contained in the Draft EIR

Noise. As described on page 5-38 of the Draft EIR, similar to the proposed project, Alternative 2 would have less than significant impacts related to noise. However, under both Alternative 2 and the proposed project, there would be no impacts related to excessive noise levels related to locating the project within an area near a public or private airport due to the fact that there are no private or public airports within the vicinity of the project site.

As described on page 5-38 of the Draft EIR, construction activity associated with Alternative 2 would be reduced as compared to the proposed project due to the reduced building square footages, but would generally result in similar noise and vibration levels since the construction and excavation areas, methods, and equipment would be similar. Under both the proposed project and the Reduced Project Alternative, construction would not require the use of unusual grading or construction techniques (i.e., drill rig and/or blasting) that would cause excessive groundborne vibration or noise. Similar to the proposed project,

caisson drilling under Alternative 2 would occur at least 25 ft from the nearest structures to the project site and, therefore, would not result in significant vibration impacts on adjacent properties.

As described on page 5-38 of the Draft EIR, under the proposed project, the combined noise levels from construction activities could reach up to 94 A-weighted decibels (dBA) maximum instantaneous noise level (L_{max}) at the nearest residential uses to the south of the project site during the Phase 1A construction period, when the Preschool/Administration building is being constructed. Existing residences to the east across the golf course are approximately 1,000 ft away from the project site. At this distance, noise levels would be reduced by 26 dBA when compared to the noise levels measured at 50 ft from the construction activity. Therefore, construction activity on the project site for the proposed project could potentially result in noise levels reaching 64 dBA L_{max} at the residences located to the east of the project site. Compliance with the construction hours specified in the City's Noise Ordinance would reduce the proposed project's construction noise impacts to a less than significant level. Because Alternative 2 would develop the project on a reduced scale, impacts related to construction noise for Alternative 2 would also be less significant, and incrementally reduced as compared to the proposed project.

As described on pages 5-38 and 5-39 of the Draft EIR, similar to the proposed project, implementation of mitigation measures for Alternative 2 would reduce adverse traffic noise impacts both off site and on the project site to below a level of significance. Traffic generated by Alternative 2 would be similar to project-related traffic since operational characteristics (attendance at church events) are expected to be similar to the proposed project. Mitigation Measure 4.10.1, which requires building facade upgrades, such as windows with sound transmission class (STC) ratings higher than those provided by standard building construction, would be required under Alternative 2, as well as under the proposed project scenario, to reduce interior noise levels in the frontline rooms of the Community Life Center building below the 45 dBA CNEL. With implementation of Mitigation Measure 4.10.1, potential long-term traffic noise impacts on on-site uses would be reduced to less than significant levels. Therefore, traffic noise associated with implementation of Alternative 2 would be similar to the noise generated by the project-related trips under the proposed project scenario.

As described on page 5-39 of the Draft EIR, during operation of the proposed project, the on-site Preschool play area would generate the most noise. The temporary play area would be approximately 147 ft from the nearest residences to the south. At this distance, the noise level would be reduced by 9 dBA from the noise level measured at 50 ft. This noise attenuation would reduce the maximum on-site play area noise to 66.55 dBA L_{max}. The 66.55 dBA maximum noise level would not exceed the City's 75 dBA L_{max} that is not to be exceeded at any time during the daytime hours for residential areas. Therefore, because Alternative 2 would also include a play area in the same location as for the proposed project scenario, operational noise impacts would be similar under this alternative as compared to the proposed project, and no mitigation is required.

As described on page 5-39 of the Draft EIR, similar to the proposed project, Alternative 2 would include a mechanical room in the southwest corner of the lower level of the Parking Structure. Because the Parking Structure would be 10 ft further away from the Monarch Bay Villas than the Parking Structure location under the proposed project, noise levels at the Monarch Bay Villas related to the operation of the mechanical equipment in the Parking Structure would also be lower than the City's daytime and nighttime noise requirements, and would be slightly lower under this alternative than the proposed project. No mitigation is required.

Overall, construction noise impacts under Alternative 2 would be fewer than under the proposed project scenario, and operational noise impacts would be similar to the proposed project.

The following standard condition and mitigation measure would be applicable to Alternative 2, as well as to the proposed project, to ensure that potential significant impacts related to noise are reduced to a less than significant level:

Standard Condition 4.10.1 **Short-Term Construction-Related Noise Impacts.** The following standard conditions are required of all development within the City of Dana Point (City) and would reduce short-term construction-related noise impacts resulting from the proposed project:

- During all project site excavation and grading, the project contractors should equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers consistent with manufacturers' standards.
- The project contractor should place all stationary construction equipment so that emitted noise is directed away from the relatively more sensitive receptors nearest the project site.
- The construction contractor should locate equipment staging in areas that will create the greatest distance between construction-related noise sources and relatively more noise-sensitive receptors nearest the project site during all project construction.
- The construction contractor shall limit all grading and equipment operations and all construction-related activities that would result in high noise levels (90 dBA or greater) to between the hours of 10:00 a.m. and 4:00 p.m., Monday through Friday. No high noise level construction activities shall be permitted outside of these hours or on Saturdays, Sundays, and federal holidays.

Mitigation Measure 4.10.1: Prior to the issuance of any grading or building permits for Phase 1C, the Applicant shall submit the building plans for review and approval by the City of Dana Point (City) Building Official, or designee, to ensure that building facade upgrades, including but not limited to windows with Sound Transmission Class (STC)-30 or higher, have been included in the plans for the western facade of the Community Life Center along Crown Valley Parkway to reduce noise levels associated with traffic noise to an acceptable level.

Public Services and Utilities. As described on page 5-40 of the Draft EIR, similar to the proposed project, Alternative 2 would have a less than significant impact on public services and utilities. Neither the proposed project nor Alternative 2 would have any impact related to conflicts with applicable wastewater treatment requirements established by the Regional Water Quality Control Board (RWQCB) because neither the proposed project nor Alternative 2 proposes to develop the project site with industrial uses that would be subject to an individual permit with specific treatment requirements established by the San Diego RWQCB. Additionally, similar to the proposed project, Alternative 2 would have a less than significant impact on the capacity of the downstream storm drain network due to the fact that both the proposed project and Alternative 2 would include an on-site storm drain system that would retain and treat stormwater runoff.

As described on page 5-40 of the Draft EIR, Alternative 2 would not include the addition of residential or commercial uses on site, which can result in a greater demand on emergency services and public transportation. Specifically, the Reduced Project Alternative would have similar impacts to the proposed

project related to fire protection because Alternative 2 would also require the OCFA to approve the final site plan to ensure compliance with all applicable codes related to fire services and emergency access (Standard Condition 4.11.1). Further, because the Orange County Sheriff's Department (OCSD) indicated that they would be able to adequately serve the proposed project and because Alternative 2 includes similar on-site operations, Alternative 2 would have similar impacts related to police services as the proposed project. In addition, because neither the proposed project nor Alternative 2 include the addition of on-site housing or a significant increase in on-site attendance, both would have a less than significant impact on existing Orange County Transportation Authority (OCTA) services currently serving the project site. Therefore, Alternative 2 would have similar impacts as the proposed project related to emergency services and public transportation.

As described on pages 5-40 and 5-41 of the Draft EIR, because the square footage of church uses would be reduced under Alternative 2, the demands for natural gas, electricity, water, wastewater, and solid waste services would be slightly reduced as compared to the proposed project. Therefore, because the proposed project's demand for additional public services and utilities would be less than significant and because Alternative 2 would develop the same uses on the project site as the proposed project, but on a reduced scale, impacts related to these utilities would be less under this alternative than under the proposed project. Overall, impacts related to public services and utilities under Alternative 2 are considered slightly fewer than under the proposed project.

The following standard condition would be applicable to Alternative 2, as well as the proposed project, to ensure that potential impacts related to public services and utilities are reduced to a less than significant level:

Standard Condition 4.11.1 **Orange County Fire Authority Plan Check.** Prior to the issuance of building permits, approval of final building design plans (including all fire prevention and suppression systems) by OCFA is required. Approval of the final building design plans would ensure that the development is constructed pursuant to California Fire Code (CFC) requirements.

Traffic. As described on pages 5-41 through 5-43 of the Draft EIR, Alternative 2 would have similar impacts related to traffic as compared to the proposed project. Although Alternative 2 would develop the project site with less building square footage than the proposed project, this alternative proposes the same number of buildings on site, would develop the site with similar uses as the proposed project, and would have similar operational characteristics.

During the most intense phases of construction, the proposed project would result in a total of 58 trips during both the a.m. and p.m. peak hours. As described on page 5-41 of the Draft EIR, although construction activities under Alternative 2 would be slightly reduced, this alternative would generate a similar number of construction peak-hour trips as the proposed project. Because the proposed project would result in potential impacts associated with hauling and delivery trips during construction, the proposed project would be required to adhere to Standard Condition 4.12.1, which stipulates that the Applicant's construction contractor will keep all haul routes used during the demolition and site preparation phases clean and free of debris and repair any damage to existing pavement, streets, curbs, or gutters along such routes. Standard Condition 4.12.1 also requires that the proposed project comply with a Construction Management Plan. With implementation of Standard Condition 4.12.1, impacts due to construction delivery and haul trips would be less than significant under the proposed project scenario. Therefore, because Alternative 2 would generate a similar number of construction trips as the proposed project, this alternative would also require adherence to Standard Condition 4.12.1 to ensure that impacts during construction would be less than significant.

As described on pages 5-41 and 5-42 of the Draft EIR, both the proposed project and Alternative 2 would generate a similar number of construction-related trips, and these trips would have a less than significant impact on the study area roadways and intersections. However, potentially significant impacts related to a shortage of on-site parking during construction would occur under both the proposed project and Alternative 2 because both scenarios propose to develop the site in similar phases over the course of 10 years. Under the proposed project scenario, parking deficits would occur on Sundays during each construction phase (with the exception of Phase 2). As such, off-site parking would need to be secured by the Church in order to accommodate the Sunday parking demand during project construction (with the exception of Phase 2). Therefore, implementation of Mitigation Measure 4.12.1, which requires the Applicant to secure sufficient off-site parking on Sundays during those construction phases when the project site is projected to have insufficient on-site parking, would be required to reduce the proposed project's parking impacts during construction to a less than significant level. However, as illustrated in Table B, unlike the proposed project, Alternative 2 would result in greater parking deficits on Sundays during each construction phase (the proposed project would not result in Sunday parking deficits during Phase 2) and, similar to the proposed project, would be required to implement Mitigation Measure 4.12.1 to reduce on-site parking impacts during construction of this alternative to a less than significant level. As such, Alternative 2 would have slightly greater impacts during more construction phases than the proposed project related to construction parking demands.

Table B: Alternative 2 Parking Adequacy

Phase	Time Period	Parking Demand	On-Site Parking Supply	Surplus/(Deficit)
Existing Conditions	Weekday[1]	193	228	35
	Sunday[2]	254	228	(26)
1A	Weekday[3]	34	161	127
	Sunday	262	161	(101)
1B	Weekday[3,4]	34	174	140
	Sunday	262	202	(60)
1B-E1	Weekday[3,4]	34	172	138
	Sunday	262	200	(62)
1B-E2	Weekday[3,4]	34	172	138
	Sunday	262	200	(62)
1C	Weekday[3,4]	34	93	59
	Sunday	262	121	(141)
2	Weekday[3,4]	35	176	141
	Sunday	267	204	(63)
3	Weekday[3,4]	36	176	140
	Sunday	271	204	(67)
4	Weekday[3,5]	37	72	35
	Sunday[6]	276	72	(204)
5	Weekday[3]	38	135	97
	Sunday	281	135	(146)
Master Plan Completion	Weekday	333	364	31
	Sunday	352	364	12

Source: LSA Associates, Inc. Traffic Impact Analysis and Parking Analysis (July 2014).
Note: Parking demand estimates developed from surveys conducted at the project site on April 27 (Sunday) and April 30 (Wednesday), 2014.

[1] April 30, 2014.
[2] April 27, 2014.
[3] The Women's Bible Study Fellowship held on Wednesdays would be discontinued during project construction.
[4] The on-site parking supply would be reduced by 28 spaces during weekdays to accommodate the temporary outdoor play area for the preschool.
[5] After the first 2 months of Phase 1C, the on-site parking supply on weekdays increases to 222 parking spaces.
[6] After the first 2 months of Phase 1C, the on-site parking supply on Sundays increases to 250 parking spaces.

As described on page 5-42 of the Draft EIR, Alternative 2 would generate the same number of project-related trips as the proposed project due to the fact that this alternative would develop the project site with the same uses, and therefore, is anticipated to generate the same number of visitors to the project site as the proposed project. Project operations under the proposed project scenario would generate a total of 106 Sunday peak-hour trips at buildout; Alternative 2 would generate a similar number of Sunday peak-hour trips. Further, similar to the proposed project, Alternative 2 would not result in any significant adverse impacts on any of the study area intersections with the addition of project traffic due to the fact that this alternative would generate a similar number of trips as the proposed project.

As described on page 5-42 of the Draft EIR, the peak parking demand at Master Plan completion under the proposed project scenario would be similar for Alternative 2 because the proposed project and Alternative 2 would generate a similar number of trips to the project site. Similar to the proposed project, the peak parking demand of 352 spaces at Master Plan completion would be accommodated by the 364 on-site parking spaces included under Alternative 2; however, because Alternative 2 would provide 47 less parking spaces than the proposed project, it would result in a reduced on-site parking surplus as compared to the proposed project.

As described on page 5-42 of the Draft EIR, as previously stated, neither the proposed project nor Alternative 2 would result in significant traffic impacts during project construction or operation and would provide sufficient parking with mitigation incorporated. Therefore, the proposed project would not conflict with any plan, ordinance, or policy establishing measures of effectiveness for the performance of the circulation system or the Orange County Congestion Management Plan (i.e., levels of service [LOS] standards). In addition, because both the proposed project and Alternative 2 would include the same design related to on-site access and circulation, Alternative 2 would be similar to the proposed project in that it would have less than significant impacts related to circulation and access. Overall, operational traffic impacts for Alternative 2 would be similar to the proposed project; however, construction parking deficiencies for Alternative 2 would be greater than for the proposed project.

The City received several comments regarding the traffic analysis included in Section 4.12, Transportation/Traffic, of the Draft EIR, including comments regarding the selection of the study area intersections and turning movements into and out of the Monarch Bay Villas community adjacent to the project site. These issues were addressed in the Response to Comments in the Final EIR. While the responses included in the Final EIR provide additional information regarding the traffic analysis, they do not alter the significance findings contained in the Draft EIR.

The following standard condition and mitigation measure, as revised, would be applicable to Alternative 2, to ensure less than potential impacts related to transportation/traffic would be reduced to a less than significant level:

Standard Condition 4.12.1: **Construction Management Plan.** Prior to the issuance of demolition, grading or any construction permits, the project Applicant shall submit a Construction Management Plan for review and approval by the City of Dana Point (City) Engineer. The Construction Management Plan shall include, at a minimum, the following measures, which shall be implemented during all construction activities as overseen by the construction contractor:

- Traffic controls shall be implemented for any street closure, detour, or other disruption to traffic circulation.
- The routes that construction vehicles shall utilize for the delivery of construction materials (i.e., lumber, tiles, piping, windows, etc.) to access the site shall be identified; traffic controls and detours shall be identified; and the proposed construction phasing plan for the project shall be provided.
- The hours during which transport activities will occur shall be specified.
- Identify the haul route for the materials to be removed (i.e., concrete, soil, steel, etc.) during the demolition phase and/or soil import during the site preparation phase.
- Subject to the direction of the City's Traffic Engineer, haul operations associated with the materials export/soil import may be prohibited during the a.m. and p.m. peak commute periods (i.e., between 7:00 a.m. and 9:00 a.m. and between 4:00 p.m. and 6:00 p.m.).

- The Applicant shall keep all haul routes clean and free of debris including but not limited to gravel and dirt as a result of its operations. The Applicant shall clean adjacent streets, as directed by the City's Traffic Engineer (or representative of the City Engineer), of any material which may have been spilled, tracked, or blown onto adjacent streets or areas.
- Hauling or transport of oversize loads shall be allowed between the hours of 9:00 a.m. and 3:00 p.m. only, Monday through Friday, unless approved otherwise by the City Engineer. No hauling or transport shall be allowed during nighttime hours, weekends or Federal holidays.
- Use of local streets shall be prohibited.
- Haul trucks entering or exiting public streets shall at all times yield to public traffic.
- If hauling operations cause any damage to existing pavement, street, curb, and/or gutter along the haul route, the Applicant shall be fully responsible for repairs. The repairs shall be completed to the satisfaction of the City Engineer.
- All construction-related parking and staging of vehicles will be kept out of the adjacent public roadways and will occur on-site to the extent feasible.
- This Construction Management Plan shall meet standards established in the current *California Manual on Uniform Traffic Control Device (MUTCD)*, as well as City of Dana Point requirements.

Mitigation Measure 4.12.1: **Off-Site Shared Parking Agreement.** Prior to the issuance of any demolition, grading, or construction permits associated with any phases of the proposed project, the project Applicant shall obtain the City of Dana Point (City) Planning Commission's approval for an updated Parking Management Plan as detailed in Chapter 9.35 of the City's Zoning Ordinance. The Parking Management Plan shall include parking agreements to accommodate parking needs for each construction phase off-site or other means to provide required spaces on-site during each phase on Sundays in an amount equal to or greater than the following number of spaces for each phase:

- Phase 1A – 101 parking spaces;
- Phase 1B – 60 parking spaces;
- Phase 1B-E1 – 62 parking spaces;
- Phase 1B-E2 – 62 parking spaces;
- Phase 1C – 141 parking spaces (during the first 2 months of this phase);
- Phase 2 – 63 parking spaces;
- Phase 3 – 67 parking spaces;
- Phase 4 – 204 parking spaces; and

- Phase 5 – 146 parking spaces.

The off-site shared parking agreement for each construction phase shall be in effect until commencement of the following phase or until the Applicant demonstrates to the City's Community Development Director and Public Works Director, or designee, that the project site is able to provide adequate on-site parking to meet the proposed project's parking demand.

D. Comparison of Environmental Effects and the Ability to Achieve Project Objectives

As described on pages 5-46 and 5-47 of the Draft EIR, similar to the proposed project, Alternative 2 would not result in any significant unavoidable adverse impacts. However, due to the reduction in building square footage under Alternative 2, overall impacts would be slightly reduced compared to impacts associated with the proposed project. Specifically, under Alternative 2, air quality, greenhouse gas emissions, noise, public services, and utilities impacts would be incrementally reduced due to the reduction in building square footage proposed as part of this alternative. In addition, land use compatibility impacts would also be reduced under this alternative as compared to the proposed project due to the fact that the Community Life Center proposed as part of Alternative 2 would not require a height variance, as is required for the proposed project. Further, due to the reduced height of the Community Life Center proposed as part of the Alternative 2, visual impacts related to the obstruction of background views of hillside development, open space, and sky would be slightly reduced as compared to the proposed project. Lastly, construction parking deficiencies would be greater under Alternative 2 than the proposed project because Alternative 2 would result in greater Sunday parking deficiencies than the proposed project and, unlike the proposed project, would require off-site parking during each construction phase.

As described on page 5-46 of the Draft EIR, Alternative 2 would achieve all of the project objectives but to a lesser extent than the Master Plan originally proposed. Similar to the original proposed project, Alternative 2 would replace existing facilities on the north end of the project site with new facilities consistent with the existing Sanctuary and surrounding development (Objective 1) and would accommodate the relocation of existing church structures (Objective 2). In addition, Alternative 2 would meet the proposed project's objectives of employing mechanical and structural techniques to address on-site geotechnical issues (Objective 4) and would provide the addition of a Landscaped Meditation Garden in the southeastern corner of the project site (Objective 5). Further, the Reduced Project Alternative would provide an on-site Parking Structure and a surface parking lot, and would, therefore, meet the proposed project's objective of addressing parking needs on Sundays (Objective 3) and providing adequate on-site parking and circulation (Objective 6).

The Applicant indicated at the Planning Commission workshop and in a comment letter on the Draft EIR that it was willing to move forward under Alternative 2 rather than the Master Plan as originally proposed. However, as discussed below, the Applicant proposed revisions to Alternative 2 in response to concerns raised at the Planning Commission workshop, and the Applicant is now seeking approval of a Revised Alternative 2.

E. Preferred Alternative: Revised Alternative 2

Subsequent to the Planning Commission workshop on the project in which the Applicant indicated its willingness/preference to seek approval of Alternative 2 and in response to concerns raised about the proposed timing for completion of the parking structure in the Master Plan as originally proposed (as well as under Alternative 2), the Applicant proposed modifying the construction phasing of Alternative 2. Additionally, in response to comments and concerns raised by some of the residents on Pompeii Drive in the Monarch Bay Villas, the Applicant proposed shifting the Landscaped Meditation Garden on the southeast corner of the project site approximately 30 feet further north from its previously proposed location under Alternative 2. No net increase in grading would be required to accommodate the relocation of the Landscaped Meditation Garden.

The following project refinements to construction phasing, as illustrated in Figures 1a through 1c in the Final EIR and described below, are incorporated into the phasing of Alternative 2 and are here forth referred to as Revised Alternative 2:

- Completion of the southern half of the Parking Structure, which was previously proposed as Phase 4 of Alternative 2, would be completed as part of Phase 2 of Revised Alternative 2;
- Phase 2 (Christian Education Building 1) and Phase 3 (Christian Education Building 2) would be completed as Phases 3 and 4, respectively;
- 12 additional parking spaces would be provided during Phases 1C and 2; these were not included in the proposed project or Alternative 2. During Phase 3, these additional spaces would be removed and converted to part of the main driveway;
- The changes in construction phasing under Revised Alternative 2 would require the relocation of the temporary pre-school play area during Phases 2, 3, and 4 (the temporary play area would be located to the north of the Sanctuary during Phase 2 and later relocated to a portion of the parking lot just north of the southern half of the Parking Structure); and
- Temporary discontinuation of two Sunday bible study classes that run concurrent with the 2nd and 3rd worship services, respectively, during the first two months of Phase 1C, and the entire duration of Phases 2 and 5.

Access. Revised Alternative 2 would not modify vehicular access to the project site as shown in Figure 3.4 (Chapter 3.0, Project Description). Vehicular access to the project site would continue to be provided by the same two access points that currently exist along Crown Valley Parkway. Project site circulation would be required to comply with the OCFA Fire Code.

Lighting. Revised Alternative 2 would include the same lighting proposed for the previous Alternative 2. There would be no change to the proposed nighttime operations, such as Christian children, youth/college/adult ministry, community meetings, and community events, included in the proposed project and project Alternatives. Similar to the proposed project, all lighting proposed as part of Revised Alternative 2 would comply with Section 9.05.220 of the City's Municipal Code regarding lighting. Therefore, there would be no change in proposed lighting under Revised Alternative 2.

Revised Alternative 2, as described herein, incorporates design elements considered in the Draft EIR Alternative 2 and would meet the project objectives. This project refinement was developed in response to comments received on the Draft EIR and in an effort to reduce potential parking impacts during implementation of the proposed project. The Revised Alternative 2's potential impacts as compared to the proposed project and Alternative 2 as analyzed in the Draft EIR are described below:

F. Environmental Analysis

Aesthetics. As described on page 1-17 of the Final EIR, Revised Alternative 2 includes all of the buildings, structures, and features included in Alternative 2, with the exception of the relocation of the Landscaped Meditation Garden. Under Revised Alternative 2, the proposed Landscaped Meditation Garden on the southeast corner of the project site would be moved approximately 30 feet further north from its previously proposed location. The relocated Mediation Garden would not result in a substantial change in views of the project site, as it contains the same features as previously proposed. The revised location of the garden would not conflict with the visual character of the site or surrounding area. Therefore, the impacts related to the Revised Alternative 2 would be similar to those analyzed for Alternative 2 in the Draft EIR.

Similar to the proposed project, Revised Alternative 2 would permanently alter the existing visual character and quality of the project site. As discussed in the Draft EIR, Alternative 2 would be constructed lower in height as compared to the proposed project and impacts related to the visual character of the project site under Alternative 2 were considered to be less than for the proposed project. Therefore, since Revised Alternative 2 would be consistent with the impacts identified for Alternative 2 as analyzed in the Draft EIR, there would be no additional visual impacts as result of the project refinements to Revised Alternative 2.

The City received several comments regarding the aesthetics analysis included in Section 4.1, Aesthetics, of the Draft EIR. These commenters indicated that the proposed project failed to analyze its potential impacts on views from private properties in the vicinity of the project site and that the project would result in significant impacts on views from Crown Valley Parkway and the Salt Creek viewshed. These issues were addressed in Common Response No. 9, which can be found on pages 2-8 and 2-9 of the Final EIR. While the discussion included in Common Response No. 9 provides additional information regarding the aesthetics analysis, it does not alter the significance findings contained in the Draft EIR or the determination made in the Final EIR that Revised Alternative 2 would not have any significant new impacts.

No mitigation is required for Revised Alternative 2.

Air Quality. As described on page 1-17of the Final EIR, Revised Alternative 2 would modify the construction phasing on the project site and would not change the size, intensity, or location of structures on the project site, with the exception of the relocation of the Landscaped Meditation Garden. Additionally, the modifications to construction phasing would not change the 10-year construction period proposed for the Master Plan. Therefore, the impacts related to the Revised Alternative 2 would be similar to those analyzed for Alternative 2 in the Draft EIR. The previous finding of less than significant impacts related to air quality resources would remain.

Similar to the proposed project, the Revised Alternative 2 would have less than significant impacts related to air quality. As discussed in the Draft EIR, air quality impacts for Alternative 2 would be incrementally reduced during construction when compared to the project due to the reduced amount of building square footage proposed as part of the alternative. Operational emissions would be similar to the proposed project for this alternative because the same number and intensity of church activities would occur even though the building square footage is reduced. Therefore, since Revised Alternative 2 would be consistent with the impacts identified for Alternative 2 as analyzed in the Draft EIR, there would be no additional air quality impacts as result of the project refinements to Revised Alternative 2.

Standard Conditions 4.2.1 and 4.2.2 would remain applicable to Revised Alternative 2 to ensure that potential air quality impacts remain less than significant.

Standard Condition 4.2.1: **South Coast Air Quality Management District (SCAQMD) Rule 403 Measures.** The proposed project would be required to implement the following SCAQMD measures:

- Apply nontoxic chemical soil stabilizers shall be applied to all inactive construction areas (previously graded areas inactive for 10 days or more) according to manufacturers' specifications.
- Active sites shall be watered at least twice daily (locations where grading is to occur will be thoroughly watered prior to earthmoving).
- All trucks hauling dirt, sand, soil, or other loose materials are to be covered or should maintain at least 2 feet of freeboard in accordance with the requirements of California Vehicle Code (CVC) Section 23114 (freeboard means vertical space between the top of the load and the top of the trailer).
- Construction access roads shall be paved at least 30 meters (m) (100 ft) onto the site from the main road.
- Traffic speeds on all unpaved roads shall be reduced to 15 miles per hour (mph) or less.
- Recycle/reuse at least 50 percent of the construction material (including, but not limited to, soil, mulch, vegetation, concrete, lumber, metal, and cardboard).
- Use "green building materials" such as those materials that are rapidly renewable or resource-efficient, and recycled and manufactured in an environmentally friendly way, for at least 10 percent of the project, as defined on the California Department of Resources Recycling and Recovery (CalRecycle) website.

Standard Condition 4.2.2 **Title 24.** The proposed project would be required to comply with Title 24 of the California Code of Regulations (CCR) established by the California Energy Commission (CEC) regarding energy conservation and green building standards, including, but not limited to, green measures concerning project site design, water use reduction, improvement of indoor air quality, and conservation of materials and resources

Biological Resources. As described on page 1-18 of the Final EIR, Revised Alternative 2 would modify the construction phasing on the project site and would not change the size, intensity, or location of structures on the project site, with the exception of the relocation of the Landscaped Meditation Garden. No additional grading would be required to accommodate the relocation of the Landscaped Meditation Garden. Therefore, the impacts related to the Revised Alternative 2 would be similar to those analyzed for Alternative 2 in the Draft EIR. The previous finding of less than significant impact, with mitigation incorporated, related to biological resources would remain.

Similar to the proposed project, Revised Alternative 2 would have less than significant impacts related to biological resources. As discussed in the Draft EIR, Alternative 2 would, like the proposed project, would preserve 0.12 ac of undisturbed coastal sage scrub and remove approximately 0.18 ac of disturbed coastal sage scrub in the northeastern portion of the project site. Following implementation of Mitigation Measures 4.3.1 through 4.3.3, the proposed project and Alternative 2 would be consistent with applicable goals and policies aimed at preserving and protecting sensitive plant and animal species. Although the Landscaped

Meditation Garden would be relocated closer to coastal sage scrub habitat in the northeastern corner of the project site, the new garden would be located outside of the habitat area and no additional impacts would occur. Therefore, since Revised Alternative 2 would be consistent with the impacts identified for Alternative 2 as analyzed in the Draft EIR, there would be no additional biological resource impacts as result of the project refinements to Revised Alternative 2.

Mitigation Measures 4.3.1, 4.3.2, and 4.3.3 would remain applicable to Revised Alternative 2 to ensure that potential impacts related to biological resources are reduced to a less than significant level.

Mitigation Measure 4.3.1: **Orange County Central and Coastal Subregion NCCP/HCP.** Prior to issuance of any demolition and/or grading permits, the project Applicant shall provide evidence to the City of Dana Point (City) Community Development Director, or designee, of in-lieu fees paid to the Nature Reserve of Orange County (NROC). The exact acreage of impact shall be determined during final site plan review, and a letter report documenting the acreage of coastal sage scrub impacts and fee calculation with provision of the fee to the Nature Reserve of Orange County shall be provided to CDFW and the United States Fish and Wildlife Service. The in-lieu fees shall be based on $65,000 per impacted acre or the most current in-lieu fee amounts. These fees are considered mitigation within signatory agencies of the Natural Communities Conservation Plan (NCCP)/Habitat Conservation Plan (HCP) per the City's Section 10(a) permit. In addition, the NCCP/HCP requires implementation of the following construction minimization measures during the authorized removal of coastal sage scrub habitat. The project Applicant shall retain a qualified biological monitor to assist with the implementation of these measures as approved by the City Community Development Director, or designee, prior to issuance of any demolition or grading permit, or any impacts on the on-site sensitive habitat.

- All natural vegetation shall only be removed outside the coastal California gnatcatchers breeding season (February 15 through July 15).
- Prior to the commencement of grading operations or other activities involving significant soil disturbance, all areas of coastal sage scrub habitat to be avoided under the provisions of the NCCP/HCP shall be identified with temporary fencing or other markers clearly visible to construction personnel. Additionally, prior to the commencement of grading operations or other activities involving disturbance of coastal sage scrub, a survey shall be conducted to locate coastal California gnatcatchers and cactus wrens within 100 feet (ft) of the outer extent of projected soil disturbance activities, and the locations of any such species shall be clearly marked and identified on the construction/grading plans.
- A monitoring biologist, acceptable to USFWS/CDFW, shall be on site during any clearing of coastal sage scrub. The project Applicant or relevant public agency/utility shall advise USFWS/CDFW at least seven (7) calendar days (and preferably fourteen [14] calendar days) prior to the clearing of any habitat occupied by Identified Species to allow USFWS/CDFW to work with the monitoring biologist in

connection with bird flushing/capture activities. The monitoring biologist shall flush Identified Species (avian or other mobile Identified Species) from occupied habitat areas immediately prior to brush-clearing and earth-moving activities. If birds cannot be flushed, they shall be captured in mist nets, if feasible, and relocated to areas of the site to be protected or to the NCCP/HCP Reserve System. It shall be the responsibility of the monitoring biologist to assure that identified bird species shall not be directly impacted by brush-clearing and earth-moving equipment in a manner that also allows for construction activities on a timely basis.

- Following the completion of initial grading/earth movement activities, all areas of coastal sage scrub habitat to be avoided by construction equipment and personnel shall be marked with temporary fencing or other appropriate markers clearly visible to construction personnel. No construction access, parking, or storage of equipment or materials shall be permitted within such marked areas.
- Coastal sage scrub identified in the NCCP/HCP for protection and located within the likely dust drift radius of construction areas shall be periodically sprayed with water to reduce accumulated dust on the leaves as recommended by the monitoring biologist.

Mitigation Measure 4.3.2: **Avoidance of Invasive Nonnative Plant Species.** Prior to issuance of any grading or construction permits, the project Applicant shall provide a final landscape plan for review and approval by the City Community Development Director, or designee, and the City Public Works Director. The final landscape plan shall not include any invasive nonnative plant species on site in association with landscaping and/or redevelopment of the site. For the purposes of this mitigation, invasive nonnative plants are considered those plant species rated as "High" or "Moderate" in the California Invasive Plant Council (CAL-IPC) Invasive Plant Inventory.

Mitigation Measure 4.3.3: **Migratory Bird Treaty Act (MBTA).** In the event that project construction or grading activities occur within the active breeding season for birds (i.e., February 15 through August 15), a nesting bird survey shall be conducted by a qualified biologist prior to commencement of construction activities. If active nesting of birds is observed within 100 ft of the designated construction area prior to construction, the construction crew shall establish an appropriate buffer around the active nest. A qualified biologist shall determine the buffer distance based on the specific nesting bird species and circumstances involved. Once the designated project biologist verifies that the birds have fledged from the nest, the buffer may be removed. Prior to issuance of any grading or building permits, the City Community Development Director, or designee, shall verify that all project grading and construction plans include specific documentation regarding the requirements of the MBTA, that preconstruction surveys have been completed and the results reviewed by staff, and that the appropriate buffers (if needed) are noted on the plans and established in the field with orange snow fencing.

Cultural Resources. As described on pages 1-18 and 1-19 of the Final EIR, Revised Alternative 2 would modify the construction phasing on the project site and would not change the size, intensity, or location of structures on the project site, with the exception of the relocation of the Landscaped Meditation Garden. No additional grading would be required to accommodate the relocation of the Landscaped Meditation Garden. Therefore, the impacts related to the Revised Alternative 2 would be similar to those analyzed for Alternative 2 in the Draft EIR. The previous finding of less than significant impact, with mitigation incorporated, related to cultural and paleontological resources would remain.

Similar to the proposed project, Revised Alternative 2 would not significantly impact cultural resources. As discussed in the Draft EIR, no archaeological, paleontological, or historical resources are known to exist at the project site. However, similar to the proposed project, Revised Alternative 2 would be required to adhere to mitigation (Mitigation Measures 4.4.1 and 4.4.2) to reduce impacts to any unknown archaeological or paleontological resources that may be uncovered during implementation of this alternative. Revised Alternative 2, like the proposed project, would also be required to implement Mitigation Measure 4.4.3 in the unlikely event that human remains are encountered during grading. Therefore, with implementation of Mitigation Measures 4.1.1 through 4.4.3, this alternative's impacts to cultural resources would, similar to the proposed project, be less than significant. Revised Alternative 2 would be consistent with the impacts identified for the proposed project and Alternative 2 as analyzed in the Draft EIR, and, as a result, there would be no additional cultural resource impacts as result of the project refinements to Revised Alternative 2.

Mitigation Measures 4.4.1, 4.4.2, and 4.4.3 would remain applicable to Revised Alternative 2 to ensure that potential impacts related to cultural and paleontological resources are reduced to a less than significant level.

Mitigation Measure 4.4.1: **Archaeological Monitors.** Prior to issuance of grading permits, and in adherence to the recommendations of the cultural resources survey, the project Applicant shall retain a qualified archaeological monitor, subject to review and approval by the City of Dana Point (City) Community Development Director, or designee. This monitor shall be present at the pregrade conference in order to explain the cultural mitigation measures associated with the proposed project. The monitor, in conjunction with the City and the project Applicant will prepare a plan that includes: (1) a description of circumstances that would result in the halting of work at the project site (e.g., what is considered a "significant" archaeological site); (2) a description of procedures for halting work on site and notification procedures; and (3) a description of monitoring reporting procedures. If any significant historical resources, archaeological resources, or human remains are found during monitoring, work shall stop within the immediate vicinity (precise area to be determined by the archaeologist in the field) of the resource until such time as the resource can be evaluated by an archaeologist and any other appropriate individuals. Project personnel shall not collect or move any archaeological materials or human remains and associated materials. To the extent feasible, project activities shall avoid these deposits. Where avoidance is not feasible, the archaeological deposits shall be evaluated for their eligibility for listing in the California Register of Historic Places. If the deposits are not eligible, avoidance is not necessary. If the deposits are eligible, adverse effects on the deposits must be avoided, or such effects must be mitigated. Mitigation can include, but is not necessarily limited to, the following: excavation of the deposit in accordance with a data recovery plan (see California Code

of Regulations Title 4(3) Section 5126.4(b)(3)(C)) and standard archaeological field methods and procedures; laboratory and technical analyses of recovered archaeological materials; production of a report detailing the methods, findings, and significance of the archaeological site and associated materials; curation of archaeological materials at an appropriate facility for future research and/or display; an interpretive display of recovered archaeological materials at a local school, museum, or library; and public lectures at local schools and/or historical societies on the findings and significance of the site and recovered archaeological materials.

Mitigation Measure 4.4.2: **Paleontological Resources Impact Mitigation Program.** The Applicant shall retain a qualified paleontologist, subject to the review and approval of the City of Dana Point's (City) Community Development Director, or designee, to prepare a Paleontological Resources Impact Mitigation Program (PRIMP) for the proposed project prior to issuance of any grading permits. The PRIMP shall be consistent with the guidelines of the Society of Vertebrate Paleontology (SVP) and shall include, but not be limited to, the following:

- The paleontologist, or his/her representative, shall attend a preconstruction meeting.
- A qualified paleontological monitor working under the direction of an Orange County certified paleontologist shall "spot check" grading within the project site. Initially, spot checks are recommended for 2 to 3 hours twice per week during grading. If fossil resources are noted during the spot check, the monitoring level shall be increased to full time for the remaining duration of the grading.
- In the event that paleontological resources are encountered when a paleontological monitor is not present, work in the immediate area of the find shall be redirected and the paleontologist contacted to assess the find for scientific significance. The paleontologist shall make recommendations as to whether monitoring shall be required in these sediments on a full-time basis.
- Collected resources shall be prepared to the point of identification and permanent preservation in accordance with the recommendations of the *Paleontological Resources Assessment* (Appendix D). This includes washing and picking of mass samples to recover small vertebrate and invertebrate fossils and removal of surplus sediment around larger specimens to reduce the storage volume for the repository and the storage cost for the developer.
- Any collected resources shall be cataloged and curated into the permanent collections of an accredited scientific institution in accordance with the recommendations of the *Paleontological Resources Assessment.*
- At the conclusion of the monitoring program, a report of findings with an appended inventory of specimens shall be prepared. When submitted to the City, the report and inventory shall signify

completion of the program to mitigate impacts to paleontological resources in accordance with the recommendations of the *Paleontological Resources Assessment.*

Mitigation Measure 4.4.3: **Human Remains.** Consistent with the requirements of the California Code of Regulations (CCR) Section 15064.5(e), if human remains are encountered during site disturbance, grading, or other construction activities on the project site, work within 25 feet of the discovery shall be redirected and the County of Orange (County) Coroner notified immediately. No further disturbance shall occur until the County Coroner has made a determination of origin and disposition pursuant to Public Resources Code Section 5097.98. If the remains are determined to be Native American, the County Coroner shall notify the Native American Heritage Commission (NAHC), which will determine and notify a most likely descendant (MLD). With the permission of the City of Dana Point (City), the MLD may inspect the site of the discovery. The MLD shall complete the inspection within 48 hours of notification by the NAHC. The MLD may recommend scientific removal and nondestructive analysis of human remains and items associated with Native American burials. Consistent with CCR Section 15064.5(d), if the remains are determined to be Native American and an MLD is notified, the City shall consult with the MLD as identified by the NAHC to develop an agreement for the treatment and disposition of the remains.

Upon completion of the assessment, the consulting archaeologist shall prepare a report documenting the methods and results and provide recommendations regarding the treatment of the human remains and any associated cultural materials, as appropriate, and in coordination with the recommendations of the MLD. The report shall be submitted to the City Community Development Director, or designee, and the South Central Coastal Information Center. The City's Community Development Director, or designee, shall be responsible for reviewing any reports produced by the archaeologist to determine the appropriateness and adequacy of findings and recommendations.

Geology and Soils. As described on page 1-19 of the Final EIR, Revised Alternative 2 would modify the construction phasing on the project site and would not change the size, intensity, or location of structures on the project site, with the exception of the relocation of the Landscaped Meditation Garden. No additional grading would be required to accommodate the relocation of the Landscaped Meditation Garden. Therefore, the impacts related to the Revised Alternative 2 would be similar to those analyzed for Alternative 2 in the Draft EIR. The previous finding of less than significant impact, with mitigation incorporated, related to geology and soils would remain.

Similar to the proposed project, Revised Alternative 2 would be required to implement mitigation requiring the Applicant to comply with the recommendations in the *Geotechnical Evaluations* (prepared by LGC Geotechnical, Inc., May and December, 2013), and the most current California Building Code (CBC). As discussed in the Draft EIR, the proposed project and Alternative 2 would develop the project site with structures north of the existing Sanctuary, in an area that is subject to potential landslides. As such, similar to the proposed project, Revised Alternative 2 would employ mitigation measures to reduce the potential for impacts related to landslides and expansive soils to a less than significant level. Alternative 2 would

also comply with mitigation for ongoing slope maintenance procedures during project duration to reduce impacts associated with the potential failure of the slopes on the northeastern portion of the project site.

Construction and excavation activities associated with implementation of Alternative 2 were found to be slightly reduced as compared to those associated with the proposed project due to the reduction in overall building square footage. Therefore, overall impacts to geology and soils can also be considered comparable to, but slightly less for Revised Alternative 2 than for the proposed project.

Revised Alternative 2 would be consistent with the impacts identified for the proposed project and Alternative 2 as analyzed in the Draft EIR, and, as a result, there would be no additional impacts related to geology and soils as result of the project refinements to Revised Alternative 2.

The City received several comments that expressed concerns regarding the seismic and geologic stability of the project site and adjacent hillside terrain. These issues were addressed in Common Response No. 12, which can be found on pages 2-11 and 2-12 of the Final EIR. While the discussion included in Common Response No. 12 provides additional information regarding the geotechnical analysis and landslide risks, it does not alter the significance findings contained in the Draft EIR or the determination made in the Final EIR that Revised Alternative 2 would not have any significant new impacts.

Mitigation Measures 4.5.1, 4.5.2, and 4.5.3 would remain applicable to Revised Alternative 2 to ensure that potential geology and soils impacts are reduced to a less than significant level.

Mitigation Measure 4.5.1 **Incorporation of and compliance with the recommendations in the *Geotechnical Evaluation.*** All grading operations and construction shall be conducted in conformance with the recommendations included in the geotechnical evaluation on the proposed project site that has been prepared by LGC Geotechnical, Inc., titled *Geotechnical Evaluation and Slope Stabilization Design for Environmental Impact Report Purposes, for Proposed Structures at the South Shores Church, City of Dana Point, California* (May 20, 2013) and *Supplemental Geotechnical Slope Stabilization Design* by LGC (December 5, 2013) as applicable, or any subsequent geotechnical evaluation prepared for the project. When finalized plans for the proposed development are approved the geotechnical consultant shall perform a review of the plans and any additional work in order to provide a construction level geotechnical report addressing full ground stabilization, foundation, and grading recommendations. Design, grading, and construction shall be performed in accordance with the requirements of the City of Dana Point (City) Municipal Code and the California Building Code (CBC) applicable at the time of grading, appropriate local grading regulations, and the recommendations of the project geotechnical consultant as summarized in a final written report, subject to review and approval by the Director of Public Works, or designee, prior to issuance grading permits.

Specific recommendations in the geotechnical evaluations address the following and shall be incorporated into the final project plans and construction level geotechnical report:

1. Mechanical slope stabilization
2. Tieback access excavation

3. Retaining walls for the Community Life Center and Christian Education building
4. Retaining walls for the Pre-School/Administration building and Meditation Garden
5. Existing crib wall
6. Parking structure
7. Deepened foundations for top-of-slope structures
8. Site earthwork
9. Geotechnical consultant role during construction
10. Temporary stability
11. Subsurface drainage
12. Grading plan review

Grading plan review shall also be conducted by the Director of Public Works, or designee, prior to the start of grading to verify that the requirements developed during the geotechnical evaluation have been appropriately incorporated into the project plans. Design, grading, and construction shall be conducted in accordance with the specifications of the project geotechnical consultant as summarized in a final report based on the CBC applicable at the time of grading and building and the City Municipal Code. On-site inspection during grading shall be conducted by the project geotechnical consultant and the Director of Public Works, or designee, to ensure compliance with geotechnical specifications as incorporated into project plans.

Mitigation Measure 4.5.2 **Maintenance of Unimproved Slopes.** Prior to issuance of grading permits, the Applicant shall submit for review and approval by the City Director of Community Development and Director of Public Works a grading plan review report that includes a long-term slope maintenance program for the unimproved slopes, such as establishing plants, avoiding concentration of water to the subsurface, discouraging rodent activity, and repairing erosion rills. The Applicant shall demonstrate to the City Director of Community Development and Director of Public Works that he/she is prepared to implement all slope maintenance procedures described in the grading plan review report. All future transfers of the property shall have conditions requiring the recipient to assume responsibility for implementation of the slope maintenance program.

Mitigation Measure 4.5.3 **Additional Testing and Analysis for Corrosive Soils.** A final geotechnical design report, including the structural foundation designs, shall be prepared by the project Applicant and submitted for review and approval by the City Community Development Director, City Public Works Director, or designee, prior to issuance of any construction permits. The final geotechnical design report shall include the results of additional soil testing and analysis to determine the corrosivity of the soils. The project engineer shall design the structural foundations in accordance with the results of the soil testing.

Global Climate Change. As described on pages 1-19 and 1-20 of the Final EIR, Revised Alternative 2 would modify the construction phasing on the project site and would not change the size, intensity, or location of structures on the project site, with the exception of the relocation of the Landscaped Meditation Garden. No additional grading would be required to accommodate the relocation of the Landscaped Meditation Garden. Therefore, because no additional grading or structures are proposed under Revised Alternative 2, the greenhouse gas (GHG) emission impacts of this alternative would be similar to those analyzed for Alternative 2 in the Draft EIR. The previous finding of less than significant impact, with mitigation incorporated, related to GHG emissions would remain.

Similar to the proposed project, Revised Alternative 2 would have less than significant impacts related to GHG emissions and global climate change. The Draft EIR concluded that construction emissions under Alternative 2, like the proposed project, would occur over the short-term during construction activities and would not result in any significant GHG emissions. These construction emissions would be incrementally fewer under Revised Alternative 2 as compared to the proposed project due to the reduced amount of building square footage being constructed. Therefore, Revised Alternative 2 would be consistent with the impacts identified for the proposed project and Alternative 2 as analyzed in the Draft EIR. There would be no additional impacts related to greenhouse gas emissions and global climate change as result of the project refinements to Revised Alternative 2.

Project Design Feature 4.6.1 would remain applicable to Revised Alternative 2 to ensure that potential GHG emission impacts remain less than significant.

Project Design Feature 4.6.1 To ensure that the proposed project complies with and would not conflict with or impede the implementation of reduction goals identified in Assembly Bill (AB) 32, the Governor's Executive Order (EO) S-3-05, and other strategies to help reduce greenhouse gases (GHGs) to the level proposed by the Governor, the project will implement a variety of measures that will further reduce its greenhouse gas (GHG) emissions. To the extent feasible, and to the satisfaction of the City of Dana Point (City), the following measures will be incorporated into the design and construction of the project (including specific building projects):

- **Construction and Building Materials.** Divert at least 50 percent of the demolished and/or grubbed construction materials (including, but not limited to, soil, vegetation, concrete, lumber, metal, and cardboard).
- **Energy Efficiency Measures.** Design all project buildings to comply with the California Building Code's (CBC) Title 24 energy standard, such as installing energy-efficient heating and cooling systems, appliances and equipment, and control systems.
- **Water Conservation and Efficiency Measures.** Devise a comprehensive water conservation strategy appropriate for the project and its location. The strategy may include the following, plus other innovative measures that may be appropriate:
    - Create water-efficient landscapes within the development.
    - Install water-efficient irrigation systems and devices, such as soil moisture-based irrigation controls.

- Restrict watering methods (e.g., prohibit systems that apply water to nonvegetated surfaces) and control runoff.

Hazards and Hazardous Materials. As described on page 1-20 of the Final EIR, Revised Alternative 2 would modify the construction phasing on the project site and would not change the size, intensity, or location of structures on the project site, with the exception of the relocation of the Landscaped Meditation Garden. Therefore, the potential to encounter hazardous materials during construction of the revised project would be similar to Alternative 2 analyzed in the Draft EIR, which was considered less than significant with mitigation. The previous finding of less than significant impact, with mitigation incorporated, related to hazards and hazardous materials would remain.

Similar to the proposed project, Revised Alternative 2 would have less than significant impacts related to hazards and hazardous materials. As discussed in the Draft EIR, neither the proposed project nor Alternative 2 would develop the project on a hazardous materials site that would create a potential hazard to the public or environment. Similar to the proposed project, the Revised Alternative 2 would be required to implement mitigation measures to reduce impacts associated with unknown asbestos-containing materials and lead-based paint and regulations for handling hazardous materials during construction activities. The existing on-site Preschool facility would be present under both the proposed project and Alternative 2, and both the proposed project and all alternatives would be required to implement mitigation measures to ensure that construction of the proposed project would not result in any hazardous emissions that would impact the on-site Preschool or any other schools within 0.25 mile of the project site. Therefore, with mitigation, Revised Alternative 2 would result in similar impacts as the proposed project related to hazards and hazardous materials during project construction.

Overall, impacts related to hazardous materials are considered the same for Revised Alternative 2 as for the proposed project. Revised Alternative 2 would be consistent with the impacts identified for the proposed project and Alternative 2 as analyzed in the Draft EIR, and, as a result, there would be no additional impacts related to geology and soils as result of the project refinements to Revised Alternative 2.

Mitigation Measures 4.7.1 and 4.7.2 would remain applicable to Revised Alternative 2 to ensure that potential impacts related to hazards and hazardous materials are reduced to a less than significant level.

Mitigation Measure 4.7.1: **Predemolition Surveys.** Prior to commencement of demolition activities, the City of Dana Point (City) Building Official, or designee, shall verify that predemolition surveys for asbestos-containing materials (ACMs) and lead-based paints (LBPs) (including sampling and analysis of all suspected building materials) and inspections for polychlorinated biphenyl (PCB)-containing electrical fixtures shall be performed. All inspections, surveys, and analyses shall be performed by appropriately licensed and qualified individuals in accordance with applicable regulations (i.e., American Society for Testing and Materials (ASTM) E 1527-05, and 40 Code of Federal Regulations (CFR), Subchapter R, Toxic Substances Control Act [TSCA], Part 716). If the predemolition surveys do not find ACMs, LBPs, or PCB-containing electrical fixtures, the inspectors shall provide documentation of the inspection and its results to the City Building Department to confirm that no further abatement actions are required.

If the predemolition surveys find evidence of ACMs, LBPs, or PCB-containing electrical fixtures, all such materials shall be removed, handled, and properly disposed of by appropriately licensed contractors according to all applicable regulations during demolition of structures (40 CFR,

Subchapter R, TSCA, Parts 745, 761, and 763). Air monitoring during these predemolition surveys shall be completed by appropriately licensed and qualified individuals in accordance with applicable regulations both to ensure adherence to applicable regulations (e.g., South Coast Air Quality Management District [SCAQMD]) and to provide safety to workers and the adjacent community.

The City shall provide documentation (e.g., all required waste manifests, sampling, and air monitoring analytical results) to the County of Orange Environmental Health Division showing that abatement of any ACMs, LBPs, or PCB-containing electrical fixtures identified in these structures has been completed in full compliance with all applicable regulations and approved by the appropriate regulatory agency(ies) (40 CFR, Subchapter R, TSCA, Parts 716, 745, 761, 763, and 795 and California Code of Regulations [CCR] Title 8, Article 2.6). An Operating & Maintenance (O&M) Plan shall be prepared for any ACM, LBP, or PCB-containing fixtures to remain in place and will be reviewed and approved by the County of Orange Environmental Health Division.

Mitigation Measure 4.7.2: **Contingency Plan.** Prior to commencement of grading activities, the Director of the Orange County Environmental Health Division, or designee, shall review and approve a contingency plan that addresses the potential to encounter on-site unknown hazards or hazardous substances during demolition and construction activities. The plan shall indicate that if construction workers encounter underground tanks, gases, odors, uncontained spills, or other unidentified substances, the contractor shall stop work, cordon off the affected area, and notify the Orange County Fire Authority (OCFA). The OCFA responder shall determine the next steps regarding possible site evacuation, sampling, and disposal of the substance consistent with local, State, and federal regulations.

Hydrology and Water Quality. As described on pages 1-20 through 1-22 of the Final EIR, Revised Alternative 2 would modify the construction phasing on the project site and would not change the size, intensity, or location of structures on the project site, with the exception of the relocation of the Landscaped Meditation Garden. Therefore, the potential for impacts related to hydrology and water quality would be similar to Alternative 2 analyzed in the Draft EIR, which was considered less than significant with mitigation.

Similar to the proposed project, construction of Revised Alternative 2 could potentially impact water quality related to erosion and pollutants. However, as discussed in the Draft EIR, compliance with regulatory requirements and mitigation measures would ensure these impacts would be less than significant. Water quality impacts associated with construction would be similar to the proposed project since all structures on the project site, with the exception of the existing Sanctuary, would be demolished and excavation would still occur under this alternative.

Because the proposed project and Revised Alternative 2 would be situated on the same project site, site-specific impacts would remain similar under both alternatives. Overall, impacts related to hydrology and water quality for the Revised Alternative 2 would be similar to, although incrementally reduced due to the construction of a smaller building footprint for, the proposed project. Revised Alternative 2 would be consistent with the impacts identified for the proposed project and Alternative 2 as analyzed in the Draft EIR, and, as a result, there would be no additional impacts related to hydrology and water quality result of

the project refinements to Revised Alternative 2. A Supplemental Hydrology Report has been prepared to respond to questions and detail requirements for Revised Alternative 2.

The City received several comments claiming that various drainage features and conditions occurring on the project site were/are causing unlawful erosion and sedimentation deposits into storm drain facilities which ultimately discharge into Salt Creek. Several of these comments suggested the Applicant has failed to properly maintain the existing drainage system and that the existing drainage system is insufficient to accommodate existing runoff from the project site and surrounding properties. While most of these comments relate to the maintenance of existing storm water facilities, some comments also suggested that runoff from the proposed project would exceed the capacity of the existing and proposed drainage system serving the project site, resulting in erosion, sedimentation, landslide risks, and degraded water quality. These issues were addressed in Common Response No. 6, which can be found on pages 2-5 through 2-7 of the Final EIR.

The City also received several comments regarding the proposed project's compliance with water quality regulations and implementation of best management practices (BMPs). These issues were addressed in Common Response No. 13, which can be found on pages 2-12 through 2-16 of the Final EIR. While the discussion included in Common Response No. 13 provides additional information regarding the hydrology and water quality analysis and provides clarification regarding applicable regulations and proposed BMPs, it does not alter the significance findings contained in the Draft EIR or the determination made in the Final EIR that Revised Alternative 2 would not have any significant new impacts.

Mitigation Measures 4.8.1, 4.8.2, and 4.8.3 would remain applicable to Revised Alternative 2 to ensure potential impacts related to hydrology and water quality are reduced to a less than significant level; however, this alternative would be required to implement a revised version of Mitigation Measure 4.8.3, which requires consistency with the Revised Preliminary WQMP approved on March 3, 2015.

Mitigation Measure 4.8.1: **Construction General Permit.** Prior to issuance of a grading permit, the Applicant shall obtain coverage under the *State Water Resources Control Board National Pollutant Discharge Elimination System General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities* (Order No. 2009-0009-DWQ, Permit No. CAS000002) (Construction General Permit [CGP]). The Applicant shall provide the Waste Discharge Identification Number to the City of Dana Point (City) Director of Public Works to demonstrate proof of coverage under the CGP. A Storm Water Pollution Prevention Plan (SWPPP) shall be prepared and implemented for the project in compliance with the requirements of the CGP. The SWPPP shall identify construction Best Management Practices (BMPs) to be implemented to ensure that the potential for soil erosion and sedimentation is minimized and to control the discharge of pollutants in storm water runoff as a result of construction activities. Erosion, Sediment, Wind, and Temporary Tracking Control BMPs that may be implemented include, but are not limited to, the following:

- Scheduling
- Preservation of existing vegetation
- Hydraulic mulch
- Hydroseeding

- Soil binders
- Straw mulch
- Geotextiles and mats
- Wood mulching
- Earth dikes and drainage swales
- Velocity dissipation devices
- Slope drains
- Streambank stabilization
- Compost blankets
- Soil preparation/roughening
- Non-vegetative stabilization
- Silt fences
- Sediment basins
- Sediment traps
- Check dams
- Fiber rolls
- Gravel bag berms
- Street sweeping and vacuuming
- Sandbag barriers
- Straw bale barriers
- Storm drain inlet protection
- Active treatment systems
- Temporary silt dikes
- Compose socks and berms
- Biofilter bags
- Stabilized construction entrances/exits
- Stabilized construction roadways
- Entrance/outlet tire washes
-

Mitigation Measure 4.8.2: **Erosion Control Plan.** In compliance with Chapter 8.01 of the City Municipal Code, during construction, the Applicant shall submit an erosion control plan annually by September 1 to the City Director of Public Works. The erosion control plans shall be prepared in accordance with Subarticle 13 of City Grading Manual. The Erosion Control Plan shall include, but not be limited to, the following:

- The name and 24 hour telephone number of the person responsible for performing emergency erosion control work.
- The signature of the civil engineer or other qualified individual who prepared the grading plan and who is responsible for inspection and monitoring of the erosion control work.
- All desilting and erosion protection facilities necessary to protect adjacent property from sediment deposition.
- The streets and drainage devices that shall be completed and paved by October 15 of each year.
- The placement of sandbags or gravel bags. Slope planting or other measures to control erosion from all slopes above and adjacent to roads open to the public. Gravel bags are preferred over sandbags.
- The plan shall indicate how access shall be provided to maintain desilting facilities during wet weather.

Mitigation Measure 4.8.3: **Water Quality Management Plan.** Prior to issuance of grading permits, the Applicant shall submit a Final Water Quality Management Plan (WQMP) to the City Director of Public Works for review and approval. The WQMP shall be consistent with the City's Model Water Quality Management Plan (Model WQMP) and the project's revised preliminary WQMP, as conceptually approved on March 3, 2015. Project-specific Low-Impact Development, Detention/Biofiltration Site Design, Source Control, or Treatment Control BMPs contained in the Final WQMP shall be incorporated into final design and comply with the Model WQMP requirements in effect at the time of submittal of each phase. The BMPs shall be properly designed and maintained to target pollutants of concern and reduce runoff from the project site. The WQMP shall include an operations and maintenance (O&M) Plan for the prescribed BMPs to ensure their long-term performance. The O&M Plan shall include, but not be limited to, the following requirements:

- Operation and maintenance records shall be retained a minimum of 5 years.
- Training and educational activities and BMP operation and maintenance shall be documented to verify compliance with the O&M Plan.
- A WQMP Verification Form shall be submitted to the City of Dana Point annually by September 1.
- BMPs shall be inspected for standing water on a regular basis.
- Operation and inspection requirements for the Low-Impact Development, Detention/Biofiltration Site Design, Source Control, or Treatment Control BMPs shall be included.

Land Use. As described on page 1-22 of the Final EIR, Revised Alternative 2 would modify the construction phasing on the project site and would not change the size, intensity, or location of structures on the project site, with the exception of the relocation of the Landscaped Meditation Garden. The relocation

of the Landscaped Meditation Garden 30 feet further north of the previously proposed location would be compliant with all site development regulations established by the City. Therefore, no new impacts related to land use would occur as a result of the project refinement and the previous finding of less than significant impacts related to land use would remain.

As discussed in the Draft EIR, the buildings included in Alternative 2 would adhere to the City's 35 foot building height requirement and would not require a height variance. Revised Alternative 2 would be consistent with the impacts identified for Alternative 2. Additionally, the relocated Landscaped Meditation Garden would be compliant with all City development regulations. Therefore, because no height variance would be required under Revised Alternative 2 and the project refinements would comply with development regulations, overall impacts related to land use and height for Revised Alternative 2 would be less than for the proposed project, but similar to Alternative 2.

The City received several comments suggesting that the proposed project would not comply with the City's development standards of zoning code, and that this would result in structures incompatible with the existing size and scale of structures in the surrounding community. Many of the underlying concerns of commenters regarding the description of the Parking Structure appeared to relate to the height and massing of the Parking Structure in relation to surrounding development rather than its gross floor area. The second and third paragraphs on page 3-13 of the Draft EIR provide information regarding the height of the proposed Parking Structure. The third paragraph on page 4.1-14 of the Draft EIR notes that the height and massing associated with the proposed project would be an increase from the existing structures on the project site, but would not be visually inconsistent with the heights and massing of the current development in the surrounding area, which is generally characterized by low- to medium-density uses comprising one and two-story buildings. Further, it should be noted that the setbacks for the Parking Structure meet, and exceed, the development standards for the project site. These issues were addressed in Common Response No. 11, which can be found on pages 2-10 and 2-11 of the Final EIR.

Similar to Alternative 2, Revised Alternative 2 would maintain a FAR of 0.29:1, which is below the City's standard allowable FAR of 0.4:1 in the CF zone. Unlike the proposed project, Revised Alternative 2 would conform to the established building height standard.

As described in Section 4.1, Aesthetics, all new buildings constructed as part of the proposed project would be constructed in the Mediterranean style of architecture and would be developed at a scale and mass consistent with the existing Sanctuary and the surrounding neighborhood. The height and massing associated with the proposed project would be an increase from the existing structures on the project site, but the proposed project would not be visually inconsistent with the heights and massing of the current development comprised of one and two-story buildings. While the discussion included in Common Response No. 11 provides additional information regarding the land use and planning analysis, it does not alter the significance findings contained in the Draft EIR or the determination made in the Final EIR that Revised Alternative 2 would not have any significant new impacts.

No mitigation is required.

Noise. As described on pages 1-22 and 1-23 of the Final EIR, Revised Alternative 2 would modify the construction phasing on the project site and would not change the size, intensity, or location of structures on the project site, with the exception of the relocation of the Landscaped Meditation Garden. No additional grading would be required to accommodate the relocation of the Landscaped Meditation Garden. The Draft EIR concluded that Alternative 2 would result in less than significant impacts with the implementation of Standard Condition 4.10.1 and Mitigation Measure 4.10.1. Therefore, the potential for impacts related to noise under the Revised Alternative 2 would be similar to Alternative 2, which was considered less than significant with mitigation.

Similar to the proposed project, Revised Alternative 2 would have less than significant impacts related to noise. As described in the Draft EIR, construction activity associated with Alternative 2 would be reduced as compared to the proposed project due to the reduced building square footages, but would generally result in similar noise and vibration levels since the construction and excavation areas, methods, and equipment would be similar. Under both the proposed project and Alternative 2, construction would not require the use of unusual grading or construction techniques (i.e., drill rig and/or blasting) that would cause excessive groundborne vibration or noise. Similar to the proposed project, caisson drilling under Revised Alternative 2 would occur at least 25 ft from the nearest structures to the project site and, therefore, would not result in significant vibration impacts on adjacent properties. While construction phasing under the Revised Alternative 2 has been modified, the noise levels associated with each construction phase would remain the same.

Operational noise impacts would be similar under Alternative 2 as compared to the proposed project, and no mitigation is required. Similar to the proposed project, Alternative 2 included a mechanical room in the southwest corner of the lower level of the Parking Structure. Because the Parking Structure would be 10 ft further away from the Monarch Bay Villas than the Parking Structure location under the proposed project, noise levels at the Monarch Bay Villas related to the operation of the mechanical equipment in the Parking Structure would also be lower than the City's daytime and nighttime noise requirements, and would be slightly lower under Revised Alternative 2 than the proposed project.

Overall, construction noise impacts under Alternative 2 would be fewer than under the proposed project scenario, and operational noise impacts would be similar to the proposed project. Revised Alternative 2 would be consistent with the impacts identified for the proposed project and the alternative analyzed in the Draft EIR, and, as a result, there would be no additional noise impacts as result of the project refinements to Revised Alternative 2.

Standard Condition 4.10.1 and Mitigation Measure 4.10.1 would remain applicable to Revised Alternative 2 to ensure that potential significant impacts related to noise are reduced to a less than significant level.

Standard Condition 4.10.1 **Short-Term Construction-Related Noise Impacts.** The following standard conditions are required of all development within the City of Dana Point (City) and would reduce short-term construction-related noise impacts resulting from the proposed project:

- During all project site excavation and grading, the project contractors should equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers consistent with manufacturers' standards.
- The project contractor should place all stationary construction equipment so that emitted noise is directed away from the relatively more sensitive receptors nearest the project site.
- The construction contractor should locate equipment staging in areas that will create the greatest distance between construction-related noise sources and relatively more noise-sensitive receptors nearest the project site during all project construction.
- The construction contractor shall limit all grading and equipment operations and all construction-related activities that would result in high noise levels (90 dBA or greater) to between the hours of 10:00 a.m. and 4:00 p.m., Monday through Friday. No high noise level

construction activities shall be permitted outside of these hours or on Saturdays, Sundays, and federal holidays.

Mitigation Measure 4.10.1: Prior to the issuance of any grading or building permits for Phase 1C, the Applicant shall submit the building plans for review and approval by the City of Dana Point (City) Building Official, or designee, to ensure that building facade upgrades, including but not limited to windows with Sound Transmission Class (STC)-30 or higher, have been included in the plans for the western facade of the Community Life Center along Crown Valley Parkway to reduce noise levels associated with traffic noise to an acceptable level.

Public Services and Utilities. As described on pages 1-23 and 1-24 of the Final EIR, Revised Alternative 2 would modify the construction phasing on the project site and would not change the size, intensity, or location of structures on the project site, with the exception of the relocation of the Landscaped Meditation Garden. Therefore, no new impacts related to public services and utilities would occur as a result of the project refinement and the previous finding of less than significant impacts would remain.

Similar to the proposed project, Revised Alternative 2 would have a less than significant impact on public services and utilities. As discussed in the Draft EIR, neither the proposed project nor Alternative 2 would not include the addition of residential or commercial uses on site, which can result in a greater demand on emergency services and public transportation. Specifically, Revised Alternative 2 would have similar impacts to the proposed project related to fire protection because Revised Alternative 2 would require the OCFA to approve the final site plan to ensure compliance with all applicable codes related to fire services and emergency access. Further, because the Orange County Sheriff's Department (OCSD) indicated that they would be able to adequately serve the proposed project and because Revised Alternative 2 includes similar on-site operations, the alternative would have similar impacts related to police services as the proposed project.

The square footage of church uses would be reduced under Revised Alternative 2, and therefore, the demands for natural gas, electricity, water, wastewater, and solid waste services would be slightly reduced as compared to the proposed project. Therefore, because the proposed project's demand for additional public services and utilities would be less than significant and because revised Alternative 2 would develop the same uses on the project site as the proposed project, but on a reduced scale, impacts related to these utilities would be less under Revised Alternative 2 than under the proposed project.

Overall, impacts related to public services and utilities under Revised Alternative 2 are considered slightly fewer than under the proposed project. Revised Alternative 2 would be consistent with the impacts identified for the proposed project and Alternative 2 analyzed in the Draft EIR, and, as a result, there would be no additional public services or utility impacts as result of the project refinements to Revised Alternative 2.

Standard Condition 4.11.1 would remain applicable to Revised Alternative 2 to ensure that potential impacts related to public services and utilities are reduced to a less than significant level.

Standard Condition 4.11.1 **Orange County Fire Authority Plan Check.** Prior to the issuance of building permits, approval of final building design plans (including all fire prevention and suppression systems) by OCFA is required. Approval of the final building design plans would ensure that the development is constructed pursuant to California Fire Code (CFC) requirements.

Traffic. As described on pages 1-24 through 1-28 of the Final EIR, Revised Alternative 2 would modify the construction phasing on the project site and would not change the size, intensity, or location of structures on the project site, with the exception of the relocation of the Landscaped Meditation Garden. Modifications to construction phasing includes recalculation of parking surplus and deficits during each construction phase. The following project refinements in regard to the provision of parking are included in Revised Alternative 2:

- The number of parking spaces taken for construction activities during Phases 1A, 1B, 1B-E1, and 1B-E2 would remain the same as Alternative 2. During the first 2 months of construction of Phase 1C, the Revised Alternative 2 would have the same number of at-grade parking spaces available for church activities (121) as Alternative 2. However, subsequent to the first 2 months of construction, Revised Alternative 2 would provide 262 at-grade parking spaces on Saturdays and Sundays, 12 more than Alternative 2.
- During Phase 2, Revised Alternative 2 would provide 82 at-grade parking spaces throughout the week, 10 more than Alternative 2 would provide during construction of the southern half of the Parking Structure (Phase 4 of Alternative 2). During Phases 3 and 4, the Revised Alternative 2 would provide 242 parking spaces on Saturdays and Sundays and 214 parking spaces on weekdays, 38 more spaces than Alternative 2 would provide during construction of Christian Education Buildings 1 and 2 (Phases 2 and 3 of Alternative 2).
- Similar to the proposed project and Alternative 2, four of the current ministry programs (the Wednesday morning bible study, the biweekly Friday morning ministry program, and two small ministry programs held on Tuesday mornings) would be discontinued during construction due to the fact that this alternative is anticipated to result in temporary on-site parking deficiencies during construction. However, under Revised Alternative 2, the Applicant proposes to also temporarily discontinue two Sunday bible study classes that run concurrent with the 2nd and 3rd worship services, respectively, during the first two months of Phase 1C, and the entire duration of Phases 2 and 5. Although the off-site shared parking program would also be required during construction of most of Revised Alternative 2 to address on-site parking deficiencies, no off-site parking would be required in Phase 1C after the first 2 months of construction and between Phases 1C and 2. No parking deficiencies are anticipated to occur after the completion of Revised Alternative 2.

As a result of the revisions to the construction phasing, the deficiencies in parking during construction phases would be improved. Therefore, impacts related to traffic and transportation would be improved as compared to the proposed project and Alternative 2 as a result of the project refinement under Revised Alternative 2. The previous finding of less than significant impacts related to traffic and transportation would remain.

As discussed in the Draft EIR, Alternative 2 would have similar impacts related to traffic as compared to the proposed project. Although Alternative 2 would develop the project site with less building square footage than the proposed project, this alternative proposes the same number of buildings on site, would develop the site with similar uses as the proposed project, and would have similar operational characteristics.

During the most intense phases of construction, the proposed project would result in a total of 58 trips during both the a.m. and p.m. peak hours. Although construction activities under Alternative 2 and Revised Alternative 2 would be slightly reduced, both alternatives would generate a similar number of construction peak-hour trips as the proposed project. Therefore, Revised Alternative 2 would also require adherence to Standard Condition 4.12.1 to ensure that impacts during construction would be less than significant. Revised Alternative 2 would be consistent with the impacts identified for the proposed project and

Alternative 2 as analyzed in the Draft EIR regarding construction peak-hour trips, and, as a result, there would be no additional impacts as result of the project refinements to Revised Alternative 2.

Potentially significant impacts related to a shortage of on-site parking during construction would occur under the proposed project, Alternative 2, and Revised Alternative 2 because all three scenarios propose to develop the site in similar phases over the course of 10 years. Under the proposed project scenario, parking deficits would occur on Sundays during each construction phase (with the exception of Phase 2). As such, off-site parking would need to be secured by the Church in order to accommodate the Sunday parking demand during project construction (with the exception of Phase 2). Therefore, implementation of Mitigation Measure 4.12.1, which requires the Applicant to secure sufficient off-site parking on Sundays during those construction phases when the project site is projected to have insufficient on-site parking, would be required to reduce the proposed project's parking impacts during construction to a less than significant level. Alternative 2 would also result in parking deficits on Sundays during each construction phase (the proposed project would not result in Sunday parking deficits during Phase 2) and, similar to the proposed project, would be required to implement Mitigation Measure 4.12.1 to reduce on-site parking impacts during construction of this alternative to a less than significant level.

The City received several comments regarding the traffic analysis included in Section 4.12, Transportation/Traffic, of the Draft EIR, including comments regarding the selection of the study area intersections and turning movements into and out of the Monarch Bay Villas community adjacent to the project site. These issues were addressed in the Response to Comments in the Final EIR. While the responses included in the Final EIR provide additional information regarding the traffic analysis, they do not alter the significance findings contained in the Draft EIR or the determination made in the Final EIR that Revised Alternative 2 would not have any significant new impacts.

Revised Alternative 2 includes modifications to the construction phasing, as described above, in order to reduce peak parking deficits as compared to Alternative 2. Although Revised Alternative 2 would alleviate some parking deficits during construction, this alternative would also be required to implement Mitigation Measure 4.12.1, as revised, to reduce on-site parking impacts during construction of this alternative to a less than significant level.

Revised Alternative 2 Mitigation Measure 4.12.1:

> **Off-Site Shared Parking Agreement.** Prior to the issuance of any demolition, grading, or construction permits associated with any phases of the proposed project, the project Applicant shall obtain the City of Dana Point (City) Planning Commission's approval for an updated Parking Management Plan as detailed in Chapter 9.35 of the City's Zoning Ordinance. The Parking Management Plan shall include parking agreements to accommodate parking needs for each construction phase off-site or other means to provide required spaces on-site during each phase on Sundays in an amount equal to or greater than the following number of spaces for each phase:
>
> - Phase 1A – 101 parking spaces;
> - Phase 1B – 60 parking spaces;
> - Phase 1B-E1 – 62 parking spaces;
> - Phase 1B-E2 – 62 parking spaces;

- Phase 1C – 118 parking spaces (during the first 2 months of this phase);
- Phase 2 – 161 parking spaces;
- Phase 3 – 29 parking spaces;
- Phase 4 – 34 parking spaces; and
- Phase 5 – 121 parking spaces.

The off-site shared parking agreement for each construction phase shall be in effect until commencement of the following phase or until the Applicant demonstrates to the City's Community Development Director and Public Works Director, or designee, that the project site is able to provide adequate on-site parking to meet the proposed project's parking demand.

G. Comparison of Environmental Effects and Ability to Attain Project Objectives

As described on page 1-28 of the Final EIR, similar to the original proposed Master Plan, Revised Alternative 2 would not result in any significant unavoidable adverse impacts. However, due to the reduction in building square footage under Revised Alternative 2, overall impacts would be slightly reduced compared to impacts associated with the proposed project. Specifically, under Revised Alternative 2, air quality, greenhouse gas emissions, noise, public services, and utilities impacts would be incrementally reduced due to the reduction in building square footage proposed as part of this alternative. In addition, land use compatibility impacts would also be reduced under this alternative as compared to the proposed project due to the fact that the Community Life Center proposed as part of Revised Alternative 2 would not require a height variance, as is required for the proposed project. Further, due to the reduced height of the Community Life Center proposed as part of the Revised Alternative, visual impacts related to the obstruction of background views of hillside development, open space, and sky would be slightly reduced as compared to the proposed project. Lastly, Revised Alternative 2 would alleviate some parking deficits during construction, but would also be required to implement Mitigation Measure 4.12.1, as revised, to reduce on-site parking impacts during construction of this alternative to a less than significant level.

Revised Alternative 2 would achieve all of the project objectives. Specifically, the reduction of building square footage under Revised Alternative 2 would not prohibit the potential of the site to accommodate church operations. Revised Alternative 2 would provide adequate parking at buildout, which would meet the project objective of reducing existing and potential future parking and congestion impacts.

The City of Dana Point hereby finds that changes or alterations have been required in, or incorporated into the Revised Alternative that will avoid or substantially lessen the significant environmental effects on the environment. The Applicant seeks approval of Revised Alternative 2, and the Planning Commission hereby finds that it is appropriate to approve Revised Alternative 2 in light of the fact that its impacts are similar but incrementally reduced in comparison to the original proposed Master Plan.

IV. GENERAL FINDINGS

1. The plans for the project have been prepared and analyzed so as to provide for public involvement in the planning and the CEQA processes.
2. To the degree that any impacts described in the Final EIR are perceived to have a less than significant effect on the environment or that such impacts appear ambiguous as to their effect on the environment as discussed in the Draft EIR, the City has responded to key environmental issues and has incorporated

mitigation measures to reduce or minimize potential environmental effects of the proposed project to the maximum extent feasible.

3. Comments regarding the Draft EIR received during the public review period have been adequately responded to in written Responses to Comments attached to the Final EIR. Any significant effects described in such comments were avoided or substantially lessened by the standard conditions and mitigation measures described in the Final EIR.
4. The analysis of the environmental effects and mitigation measures contained in the Draft EIR and the Final EIR represents the independent judgment and analysis of the City.
5. The City has received no significant new information that would require recirculation of the EIR.

RESOLUTION NO. 15-03-30-xx

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF DANA POINT, CALIFORNIA, APPROVING COASTAL DEVELOPMENT PERMIT CDP04-11, CONDITIONAL USE PERMIT CUP04-21 AND SITE DEVELOPMENT PERMIT SDP04-31 FOR SOUTH SHORES CHURCH MASTER PLAN PROJECT LOCATED AT 32712 CROWN VALLEY PARKWAY AND ADOPTING THE MITIGATION MONITORING AND REPORTING PROGRAM.

Applicant/Owner: South Shores Church

The Planning Commission for the City of Dana Point does hereby resolve as follows:

WHEREAS, South Shores Church (the "Applicant") filed a verified application, which constitutes a request as provided by Title 9 of the Dana Point Municipal Code ("DPMC"), for development to demolish three on-site structures comprising 23,467 square feet of building space and construct four new structures totaling 52,651 square feet of building space, including a partially subterranean parking structure comprising 328 parking spaces, (the "Project"); and

WHEREAS, the Project is located at 32712 Crown Valley Parkway (Assessor Parcel Number 670-181-02) is bounded by Crown Valley Parkway to the west, Monarch Bay Villas condominiums to the south, an undeveloped hillside to the east with Monarch Beach Golf Links golf course beyond, and Monarch Coast Apartments to the north (the "Site"); and

WHEREAS, the Site is located in the Community Facilities (CF) zoning district of the Dana Point Zoning Map and within the Coastal Overlay District; and

WHEREAS, the application filed by the Applicant includes a request for a Coastal Development Permit ("CDP") for development within the Coastal Overlay District as defined by the DPMC; a Conditional Use Permit ("CUP") to permit a church and preschool within the CF zoning district and to allow for an on-site Shared Parking Program and Parking Management Plan; and a Site Development Permit ("SDP") for new development exceeding 2,000 square feet in size; and

WHEREAS, the Planning Commission held a duly noticed public hearing as prescribed by law on March 30, 2015; and

ATTACHMENT #2

WHEREAS, A Final Environmental Impact Report (EIR SCH# 2009041129) has been prepared for the Project in accordance with Section 15081 of the California Environmental Quality Act; and

WHEREAS, at said public hearing, upon hearing and considering all testimony and arguments, if any, of all persons desiring to be heard, the Commission considered all factors relating to Coastal Development Permit CDP04-11, CUP04-21 and Site Development Permit SDP04-31, including any potential environmental impacts; and

WHEREAS, the Planning Commission has prior to its approval, received, reviewed and considered the Final EIR as the supporting environmental documentation for the Project.

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Planning Commission of the City of Dana Point as follows:

A) The above recitations are true and correct and incorporated herein by reference.

Findings:

B) Based on the evidence presented at the public hearing, the Planning Commission adopts the following findings and approves Coastal Development Permit CDP04-11, subject to conditions:

1) That the proposed development is in conformity with the certified Local Coastal Program as defined in Chapter 9.75 of this Zoning Code. (Coastal Act/30333, 30604(b); 14 California Code of Regulations/13096) in that **the project site is designated as Community Facilities (CF) in the City's General Plan and Zoning Map. This designation allows for religious uses and since the proposed Master Plan for the Church will not change the overall use of the site, the project is consistent with both the Zoning and the General Plan designations for use. Additionally the proposed project is designed to conform to all the applicable development standards of CF Zone.**

2) That the proposed development is not located between the nearest public roadway and the sea or shoreline of any body of water, and **is therefore not subject to conformity with the public access and public recreation policies of Chapter Three of the Coastal Act.**

3) That the proposed development conforms with Public Resources Code Section 21000 (the California Environmental Quality Act) **in that an Environmental Impact Report (EIR) was prepared assessing the impacts of the project on the environment and as determined therein implementation of the proposed project would not result in any significant and unavoidable adverse impacts, and all potentially significant impacts have been effectively mitigated to a less than significant level.**

4) That the proposed development will be sited and designed to prevent adverse impacts to environmentally sensitive habitats and scenic resources located in adjacent parks and recreation areas, and will provide adequate buffer areas to protect such resources **in that the majority of the site is currently developed and was previously graded to allow for the development of current on-site structures. The proposed project will be built entirely within the property lines of the subject site and will not extend into adjacent areas beyond. The project will result in the removal of 0.18 acres of disturbed coastal sage scrub in the northeastern corner of the site, but would preserve undisturbed 0.12 acre of coastal sage. Additionally, the existing Sanctuary has a setback of 38 feet from the eastern most property line which separates the off-site Open Space lot from the subject site. All new buildings proposed as part of the project are located farther than the existing Sanctuary building from eastern property line thereby maintaining the buffer between the Open Space and the proposed development.**

5) That the proposed development will minimize the alterations of natural landforms and will not result in undue risks from geologic and erosional forces and/or flood and fire hazards in that, **the site has been previously graded and is improved with several existing structures that are already on the site as part of the existing church. The construction of the proposed project will require grading on-site, including corrective grading to mitigate unstable geology of the site in the north eastern part of the site. The grading, however, will not involve any alterations to natural landforms. The proposed project would be designed in compliance with OCFA design requirements and a Fuel Modification Plan is reviewed and approved by OCFA to minimize any Fire related**

hazards. According to the Federal Emergency Management Agency (FEMA) Federal Insurance Rate Map (FIRM) No. 06059C0501J (December 3, 2009), the project site is located within Zone X, areas determined to be outside the 0.2 percent annual chance (500-year) floodplain. Therefore the project will not result in any undue rick of flooding.

6) That the proposed development will be visually compatible with the character of surrounding areas, and, where feasible, will restore and enhance visual quality in visually degraded areas **in that, the proposed development is designed in the same style of architecture that is consistent with the existing Sanctuary building which will remain on the property. The project would alter the existing visual character and quality of the proposed project site; however, the proposed project would be designed to a height and scale consistent with existing development to remain on the project site and development surrounding the project site. Additionally, the proposed project would be designed in the Mediterranean style, also consistent with surrounding development. The new buildings will enhance the visual quality of the area by removal of outdated structures and construction of new buildings with a cohesive design throughout the project site.. Furthermore, the proposed buildings will be compatible with the development standards set forth in the Zoning Code.**

7) That the proposed development will conform with the General Plan, Zoning Code, applicable Specific Plan, Local Coastal Program, or other applicable adopted plans and programs **in that, the subject project has been reviewed by the Planning and Building/Safety Division staffs, and the Public Works/Engineering Department, and is found to conform with all the applicable requirements of applicable adopted plans. The project is consistent with all applicable policies in the City's General Plan Land Use, Public Safety, Circulation, Noise, Public Facilities/Growth Management and Conservation/Open Space Elements. The project is designed in compliance with the development standards of CF Zoning District.**

C). Based on the evidence presented at the public hearing, the Planning Commission adopts the following findings and approves Site Development Permit SDP 04-31 subject to conditions:

1) That the site design will comply with development standards of the Zoning Ordinance in that **the project is designed in compliance with the all the applicable development standards set forth in the Dana Point Zoning Code-Community Facilities District.**

2) That the site is suitable for the proposed use and development in that **the site is currently used by the Church for its various functions. The proposed project, which is for demolition of three buildings and construction of four new structures with a two level partially below grade parking structure will provide for the continued operation of the Church operations. The project is design to conform to all the applicable development standard of CF Zoning District. Additionally the Parking Management Plan and the on-site Shared Parking Program will provide for the parking needs of the project during construction and at the completion of the project.**

3) That the project is in compliance with all elements of the General Plan and all applicable provisions of the Urban Design Guidelines in that **the proposed project is for demolition of three buildings on-site and construction of four new structures to provide for continued operations of an existing Church. The project site is designated as "CF" in the Land Use element of the General Plan. Therefore the current and continued function of the site as a Church will remain compatible with this designation. The new buildings and landscaping will be compatible with the existing Sanctuary and will further enhance the site. Furthermore, the project is consistent with Goals and Policies of the Urban Design Element of the General Plan which stipulates design excellence in site planning, architecture, landscape architecture and signage in new developments and modifications to existing development.**

4) That the site and structural design is appropriate for the site and function of the proposed use(s), without requiring a particular style or type of architecture in that **the proposed project is compatible with the design guidelines and**

development standards set forth in the General Plan, Urban Design Element and the Zoning Ordinance. The four (4) proposed buildings and parking structure with partial sub-grade design have been incorporated to accommodate the existing topography of the site. As a result, the overall building height of the tallest structure, the Community Life Center, will be approximately 35 feet in height. Other structures will be approximately 31 feet in height.

D) Based on the evidence presented at the public hearing, the Planning Commission adopts the following findings and approves Conditional Use Permit CUP 04-21 subject to conditions:

1) That the proposed conditional use is consistent with the General Plan in that **the Church and its associated operations including the preschool are uses that are allowed with a Conditional Use Permit in the CF zone. The CUP request is also to allow a shared parking arrangement between various Church operations on-site. The shared parking analysis conducted by LSA Associates concludes that the on-site parking at project build-out will be sufficient to meet the parking demand generated by the project. During construction, on-site parking is identified to be deficient to meet parking demand. The applicant is therefore required to secure off-site parking to meet the demand on Sundays as part of the Parking Management Plan. The parking for Phase 1A is tentatively secured at two off-site locations: St. Anne's School parking lot located at 32451 Bear Brand Road; and an Orange County parking lot located near the intersection of Pacific Island Drive and Alicia Parkway. An updated Parking Management Plan will be reviewed by the Planning Commission for each subsequent phase at a public hearing. The Parking Management Plan provides a reasonable, accountable and enforceable means to provide required parking for each construction phase. A designated number of parking spaces are to be provided on-site and a certain number of parking spaces are to be provided off-site based on each respective phase's parking demand. Off-site parking will be allowed in conjunction with the provision of off-site parking agreements. The EIR contains a detailed description of all the on-site activities. Parking quantities and number of trips generated to and from the site was based upon the overall use of the proposed**

buildings. Future usage of the buildings will be limited to that identified in the EIR as well as the submitted floor plans for each of the buildings.

2) That the nature, condition, and development of adjacent uses, buildings, and structures have been considered, and the proposed conditional use will not adversely affect or be materially detrimental to the adjacent uses, buildings, or structures in that **the project site has operated as South Shores Church since early 1960s. The proposed project will upgrade the site with new structures that will be architecturally compatible with the Sanctuary building and architecture of other surrounding properties. The Church operations will not change significantly from its current operations. The project is designed in compliance with all the applicable development standards of the CF Zoning district. The parking demand for the project will be met on-site as concluded in the Parking Analysis conducted for the project by LSA Associates. The parking will be shared among various on-site uses. Parking deficiencies during various phases of construction will be met by providing off-site parking or by other means. The Parking Management Plan will be brought before the Planning Commission for future phases as the applicant has not secured off-site parking for future construction phases. The approved Parking Management Plan includes the requirement that off-site parking agreements be provided to the City prior to the issuance of any demolition, grading or building permits for each respective phase. South Shores Church will remain operational throughout the proposed expansion. As a result, demand for parking at the site will be continuously met.**

3) That the proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping, and other land use development features prescribed in this Code and required by the Commission or Council in order to integrate the use with existing and planned uses in the vicinity **in that the project site has been functioning as South Shores Church since early 1960s. This use will continue on-site in proposed new structures that will be built as part of the project. The site is adequate in size and shape to accommodate the proposed new structures on-site including walls, fences**

and parking. The site is bounded with an Open Space lot to the east and Monarch Beach Golf Links golf course beyond; Crown Valley Park way to the west and single family residential neighborhood beyond; multi-family residential apartments to the north and residential condominiums to the south. The Shared Parking arrangement for various on-site uses and the associated Parking Management Plan provides for the continued availability of requisite parking for the project.

4) That the applicable parking and loading requirements are excessive or inappropriate due to either the nature of the specific use(s) involved or because of special circumstances applicable to the site in that, **as detailed in the Parking Analysis by LSA Associates for the proposed project, various on-site operations are conducted at different times and days of the week. The demand for parking for the project is therefore determined based on on-site activities. The highest parking demand occurs on Sundays when the Church conducts its weekly services with Bible studies that are conducted in groups of various sizes. The project is designed to meet all parking demands on-site at project completion. The identified parking deficiencies during construction will be mitigated by provision of off-site parking or other means. Deficient parking spaces and provided on-site spaces for each phase are identified in the project conditions and Mitigation / and Reporting Program. The Parking Management Plan for Phase 1 A has identified two potential off-site locations for the provision of parking spaces for this particular phase. The applicant is conditioned to obtain Planning Commission's approval for the Parking Management Plan for future phases.**

5) That the proposed parking and loading facilities, as conditioned, comply with the intent and purpose of the parking and loading regulations in that the **project is designed to provide all required parking on-site at project completion. The identified parking deficiencies during construction will be mitigated by provision of off-site parking or through other means. Deficient parking spaces and provided on-site spaces for each phase are identified in the conditions of approval and Mitigation Monitoring and Reporting Program. The Parking Management Plan for Phase 1 A has identified two**

potential off-site locations for the provision of parking spaces for this particular phase. The applicant is conditioned to obtain Planning Commission's approval for Parking Management Plan for future phases.

6) That the provisions of the proposed shared parking program are reasonable, accountable and enforceable in that **various Church activities occur at different times and days of the week as detailed in the Parking Analysis conducted by LSA Associates for the project. Parking, therefore, is shared among various uses on-site. The identified parking deficiencies during construction will be mitigated by provision of off-site parking or through other means. Deficient parking spaces and provided on-site spaces for each phase are identified in the conditions of approval and Mitigation Monitoring and Reporting Program. The Parking Management Plan for Phase 1 A has identified two off-site locations for the provision of parking spaces for this particular phase. The applicant is conditioned to obtain Planning Commission's approval for Parking Management Plan for future phases.**

E) Based on the evidence presented at the public hearing and in accordance with CEQA Guidelines Section 15093, the Commission hereby adopts the Mitigation Monitoring and Reporting Program attached to this resolution and incorporated herein as Exhibit "A"

Conditions:

A. General:

1. Approval of this application is to allow the demolition of three existing on-site buildings, and construction of four new buildings with a partially subterranean parking structure for South Shores Church. The project is proposed to be built in five phases over a ten year period, with periods of time when construction activity will not be taking place. Approval of a Shared Parking Program and a Parking Management Plan is also requested in conjunction with the proposed development. The four new proposed buildings comprise of a Pre-School/Administration Building (13,867 sf), a Community Life Center Building (11,378 sf) and two Christian Education Buildings (Bldg. 1: 17,258 sf; Bldg. 2: 9,788 sf). No changes

are proposed to the main Sanctuary building. The Church will remain operational during construction.

2. This discretionary permit(s) will become void two (2) years following the effective date of the approval if the privileges authorized are not implemented or utilized or, if construction work is involved and such work is not commenced with such two (2) year time period or; the Director of Community Development or the Planning Commission, as applicable, grants an extension of time. Such time extensions shall be requested in writing by the applicant or authorized agent prior to the expiration of the initial two-year approval period, or any subsequently approved time extensions and in accordance with the appropriate sections of the Dana Point Zoning.

3. The application is approved for the location and design of the uses, structures, features, and materials, shown on the approved plans. Any relocation, alteration, or addition to any use, structure, feature, or material, not specifically approved by this application, will nullify this approving action. If any changes are proposed regarding the location or alteration to the appearance or use of any structure, an amendment to this permit shall be submitted for approval by the Director of Community Development. If the Director of Community Development determines that the proposed change complies with the provisions and the spirit and intent of this approval action, and that the action would have been the same for the amendment as for the approved plans, the Director may approve the amendment without requiring a new public hearing.

4. Failure to abide by and faithfully comply with any and all conditions attached to the granting of this permit shall constitute grounds for revocation of said permit.

5. The applicant or any successor-in-interest shall defend, indemnify, and hold harmless the City of Dana Point ("CITY"), its agents, officers, or employees from any claim, action, or proceeding against the CITY, its agents, officers, or employees to attack, set aside, void, or annul an approval or any other action of the CITY, its advisory agencies, appeal boards, or legislative body concerning the project. Applicant's duty to defend, indemnify, and hold harmless the City shall include paying the CITY's attorney's fees, costs and expenses incurred concerning the claim, action, or proceeding.

The applicant or any successor-in-interest shall further protect, defend, indemnify and hold harmless the City, its officers, employees, and agents from any and all claims, actions, or proceedings against the City, its offers, employees, or agents arising out of or resulting from the negligence of the applicant or the applicant's agents, employees, or contractors. Applicant's duty to defend, indemnify, and hold harmless the City shall include paying the CITY's attorney's fees, costs and expenses incurred concerning the claim, action, or proceeding.

The applicant shall also reimburse the City for City Attorney fees and costs associated with the review of the proposed project and any other related documentation.

6. The applicant and applicant's successors in interest shall be fully responsible for knowing and complying with all conditions of approval, including making known the conditions to City staff for future governmental permits or actions on the project site.

7. The applicant and applicant's successors in interest shall be responsible for payment of all applicable fees along with reimbursement for all City expense in ensuring compliance with these conditions.

8. The Mitigation Monitoring and Reporting Program (MMRP) included in this Resolution as Exhibit A shall be conditions of approval by reference. Where there is a conflict between these conditions and the MMRP, the more restrictive shall apply as determined by the Community Development Director.

9. Final locations for any above-ground utility boxes or fire suppression systems shall be subject to the review and approval of the Community Development and Public Works Departments.

10. Any ground mounted utility and mechanical equipment shall be placed on private property and be screened and sound buffered to the satisfaction of the Director of Community Development.

11. The approved Parking Management Plan is a function of the uses identified in Traffic Impact Analysis and Parking Analysis, prepared by LSA Associates, dated July, 2014.

The future usage of the buildings (i.e. Preschool/Administration building, Community Life Center and Christian Education Center buildings, etc.) shall be limited to those uses identified in the Traffic Impact Analysis and Parking Analysis, prepared by LSA Associates, dated July, 2014. Should the usage of the buildings within the Project intensify, the Parking Management Plan shall be re-evaluated to ensure that adequate parking will be provided.

12. The attendance of the pre-school is limited to a maximum of 86 students on-site at the same time.

13. All retained professionals, including the Civil, Structural, and Geotechnical Engineer of Record shall perform construction site inspections as required to provide sufficient oversight during construction to assure all project elements are built to plans and specifications, so they can certify same.

14. The southernmost access to the site off of Crown Valley shall be restricted to right-in and right-out only. Specific signage shall be installed and channelization shall be included in the driveway to encourage this traffic pattern. Any impact to traffic signal equipment and loop sensors at Crown Valley Pkwy and Sea Island Drive shall be replaced within seven (7) days unless immediate action is required by the City Engineer. The applicant shall provide 72 hour notice to the City Engineer prior to any traffic signal work.

15. Prior to the issuance of any permits, the applicant shall obtain approval of a construction staging plan by the Directors of Public Works and Community Development.

16. In the event of construction ceasing for a period of longer than 3 months, additional landscaping and screening will be required of applicant and/or installed by the City of Dana Point at the owner's expense.

17. Temporary fencing with green/black screening shall be provided around work areas for each Phase, unless otherwise approved by the City Engineer.

18. Separate review, approval, and permits are required for:
    - Separate Structures
    - Retaining Walls
    - Fire Sprinklers
    - Site walls over 3'

19. The applicant shall provide specific number of parking spaces on-site during each construction phase and in between the phases as identified on the approved project plans and as summarized below:

- Phase 1A – 161 spaces on-site (67 parking spaces will be utilized for staging and construction; 101 parking spaces will be provided off-site)
- At the completion of Phase 1A – 210 spaces on-site
- Phase 1B – 202 spaces on-site (8 parking spaces will be utilized for staging and construction; 60 parking spaces will be provided off-site)
- At the completion of Phase 1B – 210 spaces on-site
- Phase 1B.E1 – 200 spaces on-site (10 spaces will be utilized for staging and construction; 62 parking spaces will be provided off-site)
- At the completion of Phase 1B.E1 – 210 spaces on-site
- Phase 1B.E2 – 200 spaces on-site (10 spaces will be utilized for staging and construction; 62 parking spaces will be provided off-site)
- At the completion of Phase 1B.E2 – 210 spaces on-site
- Phase 1C – 121 spaces on-site during the first 2 months of construction and 262 after 2 months of construction (89 spaces will be utilized for staging and construction; 118 parking spaces will be provided off-site during the first two months of construction)
- At the completion of Phase 1C – 262 spaces on-site
- Phase 2 – 82 spaces on-site (180 parking spaces will be utilized for staging and construction; 161 parking spaces will be provided off-site)
- At the completion of Phase 2 – 294 spaces on-site
- Phase 3 – 242 spaces on-site (52 parking spaces will be utilized for staging and construction; 29 parking spaces will be provided off-site)
- At the completion of Phase 3 – 282 spaces on-site
- Phase 4 – 242 spaces on-site (40 parking spaces will be utilized for staging and new construction; 34 parking spaces will be provided off-site)
- At the completion of Phase 4 – 282 spaces on-site
- Phase 5 – 134 spaces on-site (148 parking spaces will be utilized for staging and construction; 121 parking spaces will be provided off-site)
- At the completion of Phase 5/proposed project – 364 spaces on-site

The number of parking spaces identified above for each phase shall be fixed and cannot be altered without triggering additional parking or traffic analysis/study to review the adequacy of the parking both on and off site.

20. Prior to the issuance of any demolition, grading, or construction permits associated with any phases of the proposed project, the project Applicant shall obtain the City of Dana Point (City) Planning Commission's approval for an updated Parking Management Plan as detailed in Chapter 9.35 of the City's Zoning Ordinance. The Parking Management Plan shall include parking agreements to accommodate parking needs for each construction phase off-site or other means to provide required spaces on-site during each phase on Sundays in an amount equal to or greater than the following number of spaces for each phase:

- Phase 1A – 101 parking spaces;
- Phase 1B – 60 parking spaces;
- Phase 1B-E1 – 62 parking spaces;
- Phase 1B-E2 – 62 parking spaces;
- Phase 1C – 118 parking spaces (during the first 2 months of this phase);
- Phase 2 – 161 parking spaces;
- Phase 3 – 29 parking spaces;
- Phase 4 – 34 parking spaces; and
- Phase 5 – 121 parking spaces.

The off-site shared parking agreement for each construction phase shall be in effect until commencement of the following phase or until the Applicant demonstrates to the City's Community Development Director and Public Works Director, or designee, that the project site is able to provide adequate on-site parking to meet the proposed project's parking demand.

21. The City can require discontinuation or re-scheduling of any Church operations during any of the construction phases, if determined necessary to avoid peak period parking problems.

22. The Certificate of Use and Occupancy for Pre-School/Administration Building (Phase 1A) will not be issued until the demolition commences on existing pre-school and administration building. (Phase 1B).

23. The applicant will discontinue two Sunday Bible Study classes that run concurrent with second and third worship services during i) the first two months of Phase 1C when construction will be taking place on main access drive and northern portion of the surface parking lot, ii) during the construction of Phase 2 and iii) during the construction of Phase 5.

24. Any sports league or public assembly functions in the Community Life Center building will not take place on Sundays or at the same time as the Wednesday Women's Bible Study Fellowship.

25. The Women's Bible Study Fellowship will be discontinued during construction phases of the project.

26. All buildings and activities shall comply with the City's Noise Ordinance as specified in the City of Dana Point Municipal Code with respect to decibels for both indoor and exterior noise levels.

27. Any outdoor or peripheral lighting for the project shall be minimized and directed downwards to avoid light spilling off-site. Lighting shall be shielded and directed downwards.

28. This is a Priority Project. The project phases must each comply with the NPDES permits and Dana Point Municipal Code Chapter 15.10 Storm Water/Surface Runoff Water Quality Ordinance (DPMC 15.10) and Local Implementation Plan, including Section 7, Development Planning and Model Water Quality Management Plan (WQMP) current at the time of construction / grading. Approved by the Director of Public Works or his Designee, the final WQMP may require an update if NPDES requirements change.

29. During construction, the project shall implement and maintain all applicable final WQMP and construction Best Management Practices (BMPs), assigned by priority level and/or as required by the Director of Public Works or designee. Applicable minimum BMPs, for the project's priority as determined by the Urban Runoff Threat Assessment Form may be found in the City's Construction

Urban Runoff Best Management Practices (BMPs) Requirements Manuals.

30. During the construction phases, all construction materials, wastes, grading or demolition debris, and stockpiles of soil, aggregates, soil amendments, etc. shall be properly covered, stored, managed, secured and disposed to prevent transport into the streets, adjacent property, gutters, storm drains, creeks and/or coastal waters by wind, rain, tracking, tidal erosion or dispersion.

31. The applicant shall be responsible for coordination with SDG&E, AT&T California and Cox Communication Services for the provision of electric, telephone and cable television services.

32. Prior to commencement of any work within the public right-of-way, an encroachment permit application and fee shall be filed with the City, and a permit obtained.

33. Building materials, unlicensed vehicles, portable toilets, and similar items shall not be placed in the public right-of-way.

34. Driveways shall be constructed per City standard and approved by the City Engineer. Driveways shall provide a maximum 2% cross slope for the adjacent sidewalk in conformance with the Americans with Disabilities Act (ADA) Standards.

35. All proposed utilities lines within the project shall be installed underground.

36. The applicant shall exercise special care during construction of any phase of this project to prevent any off-site siltation. The applicant shall provide an effective combination of erosion and sediment control measures and shall construct temporary desiltation/detention basins of a type, size and location as approved by the Director of Public Works or his Designee. The erosion and sediment control measures shall be shown and specified on the grading plan and shall be constructed to the satisfaction of the Director of Public Works prior to the start of any other grading operations. Prior to the removal of any basins or erosion and sediment control devices constructed, the area served shall be protected by additional drainage facilities, slope erosion control measures and other methods as may be required by the Director of Public Works. The

applicant shall regularly inspect and maintain the temporary basins and erosion and sediment control devices until the Director of Public Works approves of the removal of said facilities.

37. Building/Grading Permits shall only be issued for one Phase at a time unless approved otherwise by the Director of Public Works and Community Development. Permits for subsequent phases will only be issued after completion and approval of all work associated with the current phase. The following are identified as separate phases for permit application purposes, in accordance with the approved site plan:
    a. Phase 1A
    b. Phase 1B, (including E1and E2)
    c. Phase 1C
    d. Phase 2
    e. Phase 3
    f. Phase 4
    g. Phase 5

38. The signalized entrance to the site shall be operational during all Church business hours and activities including, but not limited to, services, Sunday school, and any general church business or functions not related to construction.

39. A grading permit shall be obtained and a pre-construction meeting shall be held prior to commencement of any site work including mobilization of equipment for each phase.

40. All Geotechnical and Geology Reports are subject to approval by the City's third party Geotechnical Consultant. The applicant is responsible for all costs associated with third party geotechnical reviews.

41. Any damaged sidewalk, curb and gutter adjacent to the Project site shall be replaced at the discretion of the City Engineer, per City standards.

42. Construction access shall be protected and erosion and sediment control installed at least 30 meters (m) (100 ft.) onto the site from the main road. Additional measures such as tire washing and street sweeping may be required to ensure no off-site tracking. No tracking onto streets will be allowed. All erosion and sediment control methods as required shall be per City standards.

43. The construction contractor shall limit all grading and equipment operations and all construction-related activities that would result in high noise levels (90 dBA or greater) to between the hours of 10:00 a.m. and 4:00 p.m., Monday through Friday. No high noise level construction activities shall be permitted outside of these hours or on Saturdays, Sundays, and federal holidays.

44. The applicant shall submit a Construction Management Plan each phase for review and approval by the City of Dana Point (City) Engineer.

45. All Draft and Final EIR mitigation measures and standard conditions shall be required conditions of approval.

46. Offsite parking associated with the Parking Management Plan shall be no more than 4 miles from the Project site.

47. The Applicant shall ensure no contractors use Sea Island Drive for parking, staging or truck usage. Use of Sea Island Drive for any construction-related activities or parking is prohibited.

Prior to Issuance of a Grading Permit for each phase:

48. The applicant shall pay a deposit and submit to the City for review and approval a project-specific Final Water Quality Management Plan (WQMP) and Operation & Maintenance Plan (O&MP).

49. The applicant shall demonstrate that coverage has been obtained under California's General Permit for Stormwater Discharges Associated with Construction Activity (CGP). Projects subject to this requirement shall comply with all requirements of said CGP, including by not limited to: prepare and implement a Stormwater Pollution Prevention Plan (SWPPP), inspect, monitor, prepare Rain Event Action Plans (REAPs), hire a Qualified SWPPP Developer (QSD) and Practioner (QSP), etc.. A copy of the current SWPPP shall be kept at the project site and be available for City review on request.

50. The applicant shall submit an erosion and sediment control plan for each phase and annually by September 1 during construction to the City's Director of Public Works. The Erosion & Sediment Control Plan shall include, but not be

limited to, the following:

a. The name and 24 hour telephone number of the person responsible for performing emergency erosion control work.
b. The signature of the civil engineer or other qualified individual who prepare the grading plan and who is responsible for inspection and monitoring of the erosion control work.
c. All desilting and erosion and sediment controls necessary to protect adjacent property from sediment deposition.
d. The streets and drainage devices that shall be completed and paved during the phase and by September 30 or October 1 of each year.
e. The plan shall indicate how access shall be provided to maintain desilting facilities and inspection schedule as required under the CGP.

51. The applicant shall submit a grading plan, in compliance with City standards, for review and approval by the Director of Public Works. The applicant shall include all plans and documents in their submittal as required by the current Public Works Department's plan check policies. All grading work must be in compliance with the approved plan and completed to the satisfaction of the Director of Public Works. All constructed and engineered slopes within this project shall be graded no steeper than 2:1, unless otherwise approved by the Director of Public Works.

52. The applicant shall submit a lateral stability plan for review and approval by the Director of Public Works. The plan shall include location of shoring if utilized, limits of temporary cuts and cross-sections adequately depicting the construction methods.

53. All grading and improvements on the subject property shall be made in accordance with the City of Dana Point Grading Ordinance, the Grading Manual, and to the satisfaction of the Director of Public Works. Grading shall be in substantial compliance with the tentative tract map and the proposed grading that is approved by the Planning Commission.

54. The applicant shall submit a final drought tolerant native plant landscape and irrigation plan for review and approval by Planning and Engineering. The plan shall be prepared by a

State licensed landscape architect and shall include all proposed and existing plant materials (location, type, size, and quantity), an irrigation plan, a grading plan, an approved site plan and a copy of the entitlement conditions of approval. The plan shall be in substantial compliance with the applicable provisions of the Zoning Code, the preliminary plan approved by the Planning Commission and further, recognize the principles of drought tolerant landscaping. The final landscape and irrigation plan shall be approved and permitted prior to the issuance of a grading permit or the grading plan shall provide temporary hydro-seed and irrigation to the satisfaction of the Director of Public Works. No sprinklers or irrigation shall be installed beyond the limit of tie back system at top of slope.

55. The final landscape and irrigation plan shall be reviewed and approved by the Geotechnical Engineer of Record for final slope condition.

56. Surety to guarantee the completion of the project grading and drainage improvements, including erosion control, up to 100% of the approved Engineer's cost estimate shall be posted to the satisfaction of the City Engineer and the City Attorney.

57. Any grading required outside of the property boundaries will require the applicant to either obtain easements or off-site grading agreements in a form suitable for recording from the affected property owner(s).

58. The applicant shall submit erosion control plans for all affected slopes.

59. All retaining walls and block walls constructed on or along the property line requiring construction access onto adjacent properties shall require a notarized letter of permission for construction from the adjacent, affected property owner.

60. The applicant shall submit a complete hydrology and hydraulic study, prepared by a qualified engineer, for review and approval by the Director of Public Works. Said study shall include formatting and content in conformance with the Orange County Hydrology Manual and the Orange County Local Drainage Manual.

61. The applicant shall submit a geotechnical report for review and approval by the Director of Public Works. This report will primarily involve assessment of potential soil related

constraints and hazards such as slope instability, settlement, liquefaction, or related secondary seismic impacts, where determined to be appropriate by the Director of Public Works or his Designee. The report shall also include an evaluation of potentially expansive soils and recommend construction procedures and/or design criteria to minimize the effect of these soils on the proposed development. All reports shall recommend appropriate mitigation measures and be completed in the manner specified by the City of Dana Point Grading Manual and the City of Dana Point Subdivision Ordinance.

62. At a minimum, specific recommendations in the geotechnical evaluations address the following and shall be incorporated into the final project plans and construction level geotechnical report:

a. Mechanical slope stabilization
b. Tieback access excavation
c. Retaining walls for the Community Life Center and Christian Education building
d. Retaining walls for the Pre-School/Administration building and Meditation Garden
e. Existing crib wall
f. Parking structure
g. Deepened foundations for top-of-slope structures
h. Site earthwork
i. Geotechnical consultant role during construction
j. Temporary stability
k. Subsurface drainage
l. Grading plan review
m. Irrigation and planting of all constructed/engineered slopes.

63. The applicant shall submit a report by an engineering geologist indicating the ground surface acceleration from earth movement for the subject property. All structures within this development shall be constructed in compliance with the g-factors as indicated by the geologist's report. Calculations for footings and structural members to withstand anticipated g-factors shall be submitted for review and approval by the Director of Public Works or his Designee.

64. The grading plans shall depict the size and location of existing

and proposed storm drains, gas, sewer and water and electrical conduit from the point of connection in the Public Right-of-Way to the building. Location of water and gas meters shall be shown.

65. The applicant shall submit a Preliminary Title Report that is dated no more than one year prior to the permit application date.

66. The applicant shall provide verification of site handicapped accessibility to structures.

67. The applicant shall submit "will serve" letters from the applicable water and sewer district.

68. The Applicant shall submit for review and approval by the Director of Community Development and Director of Public Works a grading plan review report that includes a long-term slope maintenance program for the unimproved slopes. The Applicant shall demonstrate to the City Director of Community Development and Director of Public Works that he/she is prepared to implement all slope maintenance procedures described in the grading plan review report. All future transfers of the property shall have conditions requiring the recipient to assume responsibility for implementation of the slope maintenance program.

B. Prior to Building Plan Check Submittal for each Phase:

69. The cover sheet of the building construction documents shall contain the City's conditions of approval and the Adopted Mitigation Measures related to the Final EIR (SCH# 2009041129) and it shall be attached to each set of plans submitted for City approval or shall be printed on the title sheet verbatim.

70. Building plan check submittal shall include 2 sets of the following construction documents:

- Building Plans (3 sets)
- Energy calculations
- Acoustical Report (consistent with Preliminary Acoustical Study dated November 27, 2013)
- Structural Calculations
- Soils/geology report

- Drainage Plan

All documents prepared by a professional shall be wet-stamped and signed.

71. The applicant shall submit architectural plans for the review and approval of the Fire Chief. The Plans shall be reviewed and approved by the Fire Chief prior to building permit issuance.

72. Fire Department review is required. Submit three (3) separate sets of building plans directly to the Orange County Fire Authority for review and approval.

73. The applicant shall submit plans for any required automatic fire sprinkler system in any structure to the Fire Chief for review and approval. Please contact the OCFA at (714) 573-6100 to request a copy of the "Orange County Fire Authority Notes for New NFPA 13 Commercial Sprinkler Systems".

74. Underground piping plans shall be approved prior to or concurrent with the approval of sprinkler system plans.

75. Building(s) shall comply with 2013 California Code of Regulations Parts 1-12 and any local amendments thereto. Building(s) shall comply with 2013 T-24 Energy Conservation Regulations.

76. Foundation system to provide for expansive soils and soils containing sulfates unless a soils report can justify otherwise. Use Type V cement, w.c. ration of 0.45, F'c of 4,500 psi.

77. Minimum roofing classification of type "A" is required.

78. Project is in/adjacent to high fire, hazard severity zone. Show conformance with CBC Chapter 7A.

79. Building shall conform to State amendments for disables accessibility, CBC Chapter 11A or B. Provide an Accessibility and Exit analysis for the building/development.

Prior to the Issuance of a Building Permit for each phase:

80. Proof of all approvals from applicable outside departments and agencies is required including the Orange County Fire

Authority (OCFA).

81. The applicant shall submit a rough grade certification for review and approval by the City Engineer by separate submittal. The rough grade certification by the civil engineer (along with the City's standard Civil Engineer's Certification Form for Rough Grading) shall approve the grading as being substantially completed in conformance with the approved grading plan and shall document all pad grades to the nearest 0.1-feet to the satisfaction of the City Engineer the Director of Community Development. The civil engineer and/or surveyor shall specifically certify that the elevation of the graded pad is in compliance with the vertical (grade) position approved for the project.

    An as graded certified geotechnical/geology report shall be prepared by the project geotechnical consultant following grading of the subject site. The report should include the results of all field density testing, depth of reprocessing and recompaction, as well as a map depicting the limits of grading. Locations of all density testing, restricted use zones, settlement monuments, and geologic conditions exposed during grading. The report should include conclusions and recommendations regarding applicable setbacks, foundation recommendations, erosion control and any other relevant geotechnical aspects of the site. The report shall state that grading of the site, including associated appurtenances, as being completed in conformance with the recommendations of the preliminary geotechnical report.

82. Building addresses shall be located on the Crown Valley Parkway street frontage. Addresses shall be 4" high with 1" stroke and of noncombustible, contrasting materials.

83. Prior to the approval of the foundation inspection, the applicant shall submit certification, by licensed surveyor or registered civil engineer, that the building will be constructed in compliance with the dimensions shown on the approved.

84. Prior to the approval of the foundation inspection, the applicant shall submit a wet-stamped and signed field memo from the project geologist or engineer approving the foundation excavation.

85. Expansion and sulfate tests shall be run after the creation of the building pads. Soil design data shall then be submitted to

the structural Engineer.

86. Prior to commencement of framing, the applicant shall submit a foundation certification, by survey that the proposed structure will be constructed in compliance with the dimensions shown on plans approved by the Planning Commission, including finish floor elevations and setbacks to property lines included as part of the approved project plans. The City's standard "Line & Grade Certification" form shall be prepared by a licensed civil engineer/surveyor and be delivered to the City of Dana Point Building and Planning Divisions for review and approval.

87. Prior to the release of roof sheathing inspection, the applicant shall certify by a survey or other appropriate method that the height of the structure and any encroachments above the height limit are in compliance with plans approved by the Planning Commission and the structure heights included as part of project plans. The City's standard "Height Certification" form shall be prepared by a licensed civil engineer/surveyor and be delivered to the City of Dana Point Building and Planning Divisions for review and approval before release of final roof sheathing is granted.

88. All plan check and building permit fees shall be paid to the City of Dana Point.

Orange County Fire Authority (OCFA) for each phase:

89. The applicant shall obtain approval of the Fire Chief for all fire protection access roads within 150 feet of all portions of the exterior of the structure on the site. The plans shall include plan and sectional views and indicate the grade and width of the access road measured flow-line to flow-line. When a dead-end street exceeds 150 feet or when otherwise required, a clearly marked fire apparatus access turnaround must be provided and approved by the Fire Chief. The applicant may contact the OCFA at (714) 573-6100 or visit the OCFA website to obtain a copy of the "Guidelines for Emergency Access".

90. The applicant shall provide evidence of adequate fire flow. The "Orange County Fire Authority Water Availability for Fire Protection" form shall be signed by the applicable water district and submitted to the Fire Chief for approval.

91. The applicant shall submit a fire hydrant location plan to the

Fire Chief for review and approval.

92. The applicant shall submit evidence of the on-site fire hydrant system to the Fire Chief and indicate whether it is public or private. If the system is private, it shall be reviewed and approved by the Fire Chief prior to building permit issuance, and the applicant shall make provisions for the repair and maintenance of the system in a manner meeting the approval of the Fire Chief. Please contact the OCFA at (714) 573-6100 or visit the OCFA website for a copy of the "Guidelines for Private Fire Hydrant &/or Sprinkler Underground Piping".

93. The applicant shall submit plans and obtain approval from the Fire Chief for fire lanes on required fire access roads less than 36 feet in width. The plans shall indicate the locations of red curbs and signage and include a detail of the proposed signage including the height, stroke and colors of the lettering and its contrasting background. Please contact the OCFA at (714) 573-6100 or visit the OCFA website to obtain a copy of the "Guidelines for Emergency Access Roadways and Fire Lane Requirements".

94. The applicant shall submit plans for any required automatic fire sprinkler system in any structure to the Fire Chief for review and approval. Please contact the OCFA at (714) 573-6100 to request a copy of the "Orange County Fire Authority Notes for New NFPA 13 Commercial Sprinkler Systems".

95. Plans for the fire alarm system shall be submitted to the Fire Chief for review and approval. Please contact the OCFA at (714) 573-6100 or visit the OCFA website to obtain a copy of the "Guideline for New and Existing Fire Alarm Systems".

96. This system shall be operational in a manner meeting the approval of the Fire Chief.

97. The applicant shall submit architectural plans for the review and approval of the Fire Chief if required per the "Orange County Fire Authority Plan Submittal Criteria Form". Please contact the OCFA at (714) 573-6100 for a copy of the Site/Architectural Notes to be placed on the plans prior to submittal.

98. The Director of the Orange County Environmental Health Division, or designee, shall review and approve a contingency plan that addresses the potential to encounter onsite unknown

hazards or hazardous substances during demolition and construction activities. The plan shall indicate that if construction workers encounter underground tanks, gases, odors, uncontained spills, or other unidentified substances, the contractor shall stop work, cordon off the affected area, and notify the Orange County Fire Authority (OCFA). The OCFA responder shall determine the next steps regarding possible site evacuation, sampling, and disposal of the substance consistent with local, State, and federal regulations.

Prior to the Issuance of a Certificate of Use and Occupancy for each phase:

99. A Final Geotechnical/Geology Report shall be prepared by the project geotechnical consultant in accordance with the City of Dana Point Grading Manual and submitted for approval by the City and the City's third party Geotechnical Consultant. The report shall state that grading of the site and construction of improvements, including associated appurtenances, as being completed in conformance with the recommendations of the preliminary geotechnical report.

100. The Geotechnical Engineer of Record shall provide a report or other approved method documenting the site inspections performed. The Engineer of Record shall perform sufficient inspections to certify all Project elements are built to plans and specifications.

101. A written approval by the Civil Engineer of record approving the grading as being substantially in conformance with the approved grading plan and which specifically approves construction of line and grade for all engineered drainage devices and retaining walls.

102. The Civil Engineer of Record shall provide a report or other approved method documenting the site inspections performed. The Engineer of Record shall perform sufficient inspections to certify all Project elements are built to plans and specifications.

103. The Structural Engineer of Record shall provide a report or other approved method documenting the site inspections performed. The Engineer of Record shall perform sufficient inspections to certify all Project elements are built to plans and specifications.

104. All work in the right-of-way shall be completed in conformance

with the Encroachment Permit conditions to the satisfaction of the City Engineer.

105. An As-Built Grading Plan shall be prepared by the Civil Engineer of Record.

106. All previously existing on-site parking spaces to remain shall be restored and available. All proposed parking per the Parking Management plan shall be in place and available for use.

107. Any and all outstanding fees associated with any part of the entire project shall be paid.

108. All fire hydrants shall have a blue reflective pavement marker indicating the hydrant location on the street as approved by the Fire Chief, and must be maintained in good condition by the property owner. Please contact the OCFA at (714) 573-6100 or visit the OCFA website for a copy of the "Guideline for Installation of Blue Dot Hydrant Markers".

109. The fire lanes shall be installed in accordance with the approved fire master plan. The CC&R's or other approved documents shall contain a fire lane map, provisions prohibiting parking in the fire lanes and a method of enforcement.

110. Prior to the issuance of a certificate of occupancy, the required automatic fire sprinkler system shall be operational in a manner meeting the approval of the Fire Chief.

111. Prior to the issuance of a certificate of occupancy, the fire alarm system shall be operational prior to the issuance of a certificate of occupancy.

112. The applicant shall:
    - Demonstrate that all structural best management practices (BMPs) described in the Project's approved final WQMP have been constructed and installed in conformance with approved plans and specifications via the City's WQMP Construction Certification letter template, available from the City's Water Quality Engineer;
    - Demonstrate that applicant is prepared to implement all structural and non-structural BMPs described in the Project WQMP and Operation and Maintenance Plan (O&MP), and

- Provide a distribution list for the approved Project WQMP & O&MP

113. All landscaping and irrigation shall be installed per the approved final landscape and irrigation plan. A State licensed landscape architect shall certify that all plants, irrigation and other improvements have been installed in accordance with the specifications of the final plan and shall submit said certification in writing to the Director of Community Development and the Director of Public Works. The applicant shall contact the Community Development Department once all landscaping has been installed in accordance with the approved plans.

114. Prior to the issuance of certificates of use and occupancy for each phase, the applicant shall pay art in-lieu fees, in compliance with Section 9.05.240 of the Zoning Ordinance, for that respective phase which will be deposited in a holding account by the City. If the applicant elects to install an on- or off-site public art component, the collected fees will be reimbursed to the applicant. Alternatively, the fees will be transferred into the City's Art in Public Places fund to be used for Public Art at the City's discretion.

General Conditions for Phase 1B including sub-phases E1 and E2:

115. Grading permit, temporary and permanent shoring permits (as necessary), retaining wall permits, and any necessary Building permits for structural components of the grading/landslide remediation shall be obtained concurrently.

116. The Demolition Permit and a Grading Permit shall be issued concurrently.

117. A direct or third party representative of the City shall be on-site during all construction activities, related to Phase 1B, at the discretion of the Director of Public Works and the Director of Community Development. The applicant shall be responsible for all costs associated with said representative.

Prior to Release of Bonds and Permit Issuance for Subsequent Phased Work (Phase 1B; 1B E.1; 1B E.2):

118. Any and all outstanding fees associated with any part of the entire project shall be paid.

119. The applicant shall submit a rough grade certification for review and approval by the City Engineer by separate submittal. The rough grade certification by the civil engineer (along with the City's standard Civil Engineer's Certification Form for Rough Grading) shall approve the grading as being substantially completed in conformance with the approved grading plan and shall document all pad grades to the nearest 0.1-feet to the satisfaction of the City Engineer the Director of Community Development. The civil engineer and/or surveyor shall specifically certify that the elevation of the graded pad is in compliance with the vertical (grade) position approved for the project.

120. An as graded geotechnical/geology report shall be prepared by the project geotechnical consultant following grading of the subject site. The report should include the results of all field density testing, depth of reprocessing and re-compaction, as well as a map depicting the limits of grading. Locations of all density testing, restricted use zones, settlement monuments, and geologic conditions exposed during grading. The report should include conclusions and recommendations regarding applicable setbacks, foundation recommendations, erosion control and any other relevant geotechnical aspects of the site. The report shall state that grading of the site, including associated appurtenances, as being completed in conformance with the recommendations of the preliminary geotechnical report.

121. All Building, shoring and retaining wall permits shall be finaled.

122. All work in the right-of-way shall be completed in conformance with the Encroachment Permit conditions to the satisfaction of the City Engineer.

123. An As-Built Grading Plan shall be prepared by the Civil Engineer of Record.

124. All fire hydrants shall have a blue reflective pavement marker indicating the hydrant location on the street as approved by the Fire Chief, and must be maintained in good condition by the property owner. Please contact the OCFA at (714) 573-6100 or visit the OCFA website for a copy of the "Guideline for Installation of Blue Dot Hydrant Markers".

125. The fire lanes shall be installed in accordance with the

approved fire master plan. The approved plans and documents shall contain a fire lane map, provisions prohibiting parking in the fire lanes and a method of enforcement.

126. Landscaping and irrigation shall be installed per the approved landscape and irrigation plan. A State licensed landscape architect shall certify that all plants, irrigation and other improvements have been installed in accordance with the specifications of the final plan and shall submit said certification in writing to the Director of Community Development and the Director of Public Works. The applicant shall contact the Community Development Department once all landscaping has been installed in accordance with the approved plans.

PASSED, APPROVED, AND ADOPTED at a regular meeting of the Planning Commission of the City of Dana Point, California, held on this 30th day of March, 2015, by the following vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

_____
Liz Claus, Chairwoman
Planning Commission

ATTEST:

_____
Ursula Luna-Reynosa, Director
Community Development Department

MITIGATION MONITORING AND REPORTING PROGRAM

SOUTH SHORES CHURCH MASTER PLAN PROJECT

MITIGATION MONITORING REQUIREMENTS

Public Resources Code (PRC) Section 21081.6 (enacted by the passage of Assembly Bill 3180) requires that agencies adopt a mitigation monitoring and reporting program for any project for which findings had been made pursuant to PRC Section 21081. The Mitigation Monitoring and Reporting Program included in this section provides a list of all proposed project mitigation measures; assigns responsibility for implementation, review, and/or approval; and identifies the timing for implementation of each control measure.

PRC Section 21081.6 mandates that the following requirements shall apply to all reporting or mitigation monitoring programs:

- The public agency shall adopt a reporting or monitoring program for the changes made to the project or conditions of project approval in order to mitigate or avoid significant effects on the environment. The reporting or monitoring program shall be designed to ensure compliance during project implementation. For those changes that have been required or incorporated into the project at the request of a responsible agency or a public agency having jurisdiction by law over natural resources affected by the project, that agency shall, if so requested by the lead agency or a responsible agency, prepare and submit a proposed reporting or monitoring program.
- The lead agency shall specify the location and custodian of the documents or other materials that constitute the record of proceedings upon which its decision is based.
- A public agency shall provide measures to mitigate or avoid significant effects on the environment that are fully enforceable through permit conditions, agreements, or other measures. Conditions of project approval may be set forth in referenced documents that address required mitigation measures or, in the case of the adoption of a plan, policy, regulation, or other project, by incorporating the mitigation measures into the plan, policy, regulation, or project design.
- Prior to the close of the public review period for a Draft Environmental Impact Report (EIR), a responsible agency, or a public agency having jurisdiction over natural resources affected by the project, shall either (1) submit to the lead agency complete and detailed performance objectives for mitigation measures that would address the significant effects on the environment identified by the responsible agency or agency having jurisdiction over natural resources affected by the project, or (2) refer the lead agency to appropriate, readily available guidelines or reference documents. Any mitigation measures submitted to a lead agency by a responsible agency or an agency having jurisdiction over natural resources affected by the project shall be limited to measures that mitigate impacts to resources that are subject to the statutory authority of, and definitions applicable to, that agency. Compliance or noncompliance with that requirement by a responsible agency or agency having jurisdiction over natural resources affected by a project shall not limit the authority of the responsible agency or agency having jurisdiction over natural

resources affected by a project, or the authority of the lead agency, to approve, condition, or deny projects as provided by this division or any other provision of law.

MITIGATION MONITORING PROCEDURES

The mitigation monitoring and reporting program has been prepared in compliance with PRC Section 21081.6. It describes the requirements and procedures to be followed by the City of Dana Point (City) to ensure that all standard conditions and mitigation measures adopted as part of the South Shores Church Master Plan (proposed project) will be carried out as described in the Final EIR.

Table A lists each of the standard conditions and mitigation measures specified in the Final EIR and identifies the party or parties responsible for implementation and monitoring of each condition or measure.

Table A: Mitigation and Monitoring Reporting Program for Revised Alternative 2

	Standard Conditions and Mitigation Measures	Responsible Party/ Approving Agency	Timing for Standard Condition or Mitigation Measure
4.1: Aesthetics			
No standard conditions related to aesthetics would be required. The proposed project would not result in significant adverse impacts to aesthetics or visual resources; therefore, no mitigation measures are required.			
4.2: Air Quality			
Standard Condition 4.2.1:	**South Coast Air Quality Management District (SCAQMD) Rule 403 Measures.** The proposed project would be required to implement the following SCAQMD measures: • Apply nontoxic chemical soil stabilizers shall be applied to all inactive construction areas (previously graded areas inactive for 10 days or more) according to manufacturers' specifications. • Active sites shall be watered at least twice daily (locations where grading is to occur will be thoroughly watered prior to earthmoving). • All trucks hauling dirt, sand, soil, or other loose materials are to be covered or should maintain at least 2 feet of freeboard in accordance with the requirements of California Vehicle Code (CVC) Section 23114 (freeboard means vertical space between the top of the load and the top of the trailer). • Construction access roads shall be paved at least 30 meters (m) (100 ft) onto the site from the main road. • Traffic speeds on all unpaved roads shall be reduced to 15 miles per hour (mph) or less. • Recycle/reuse at least 50 percent of the construction material (including, but not limited to, soil, mulch, vegetation, concrete, lumber, metal, and cardboard). • Use "green building materials" such as those materials that are	Applicant/South Coast Air Quality Management District	Ongoing during construction

Table A: Mitigation and Monitoring Reporting Program for Revised Alternative 2

Standard Conditions and Mitigation Measures		Responsible Party/ Approving Agency	Timing for Standard Condition or Mitigation Measure
	rapidly renewable or resource-efficient, and recycled and manufactured in an environmentally friendly way, for at least 10 percent of the project, as defined on the California Department of Resources Recycling and Recovery (CalRecycle) website.		
Standard Condition 4.2.2:	**Title 24.** The proposed project would be required to comply with Title 24 of the California Code of Regulations (CCR) established by the California Energy Commission (CEC) regarding energy conservation and green building standards, including, but not limited to, green measures concerning project site design, water use reduction, improvement of indoor air quality, and conservation of materials and resources.	Applicant/ City of Dana Point Community Development Director, or designee	Prior to issuance of any demolition and/or grading permits
The proposed project would not result in significant adverse impacts related to air quality; therefore, no mitigation measures are required.			
4.3: Biological Resources			
No standard conditions related to biological resources would be required.			
Mitigation Measure 4.3.1:	**Orange County Central and Coastal Subregion. NCCP/HCP.** Prior to issuance of any demolition and/or grading permits, the project Applicant shall provide evidence to the City of Dana Point (City) Community Development Director, or designee, of in-lieu fees paid to the Nature Reserve of Orange County (NROC). The exact acreage of impact shall be determined during final site plan review, and a letter report documenting the acreage of coastal sage scrub impacts and fee calculation with provision of the fee to the Nature Reserve of Orange County shall be provided to CDFW and the United States Fish and Wildlife Service. The in-lieu fees shall be based on $65,000 per impacted acre or the most current in-lieu fee amounts. These fees are considered mitigation within signatory agencies of the Natural Communities Conservation Plan (NCCP)/Habitat Conservation Plan (HCP) per the City's Section 10(a) permit. In addition, the NCCP/HCP requires implementation of the following construction minimization measures during the	Applicant/City of Dana Point Community Development Director, or designee	Prior to issuance of any demolition and/or grading permits

Table A: Mitigation and Monitoring Reporting Program for Revised Alternative 2

Standard Conditions and Mitigation Measures	Responsible Party/ Approving Agency	Timing for Standard Condition or Mitigation Measure
authorized removal of coastal sage scrub habitat. The project Applicant shall retain a qualified biological monitor to assist with the implementation of these measures as approved by the City Community Development Director, or designee, prior to issuance of any demolition or grading permit, or any impacts on the on-site sensitive habitat. • All natural vegetation shall only be removed outside the coastal California gnatcatchers breeding season (February 15 through July 15). • Prior to the commencement of grading operations or other activities involving significant soil disturbance, all areas of coastal sage scrub habitat to be avoided under the provisions of the NCCP/HCP shall be identified with temporary fencing or other markers clearly visible to construction personnel. Additionally, prior to the commencement of grading operations or other activities involving disturbance of coastal sage scrub, a survey shall be conducted to locate coastal California gnatcatchers and cactus wrens within 100 feet (ft) of the outer extent of projected soil disturbance activities, and the locations of any such species shall be clearly marked and identified on the construction/grading plans. • A monitoring biologist, acceptable to USFWS/CDFW, shall be on site during any clearing of coastal sage scrub. The project Applicant or relevant public agency/utility shall advise USFWS/CDFW at least seven (7) calendar days (and preferably fourteen [14] calendar days) prior to the clearing of any habitat occupied by Identified Species to allow USFWS/CDFW to work with the monitoring biologist in connection with bird flushing/capture activities. The		

Table A: Mitigation and Monitoring Reporting Program for Revised Alternative 2

Standard Conditions and Mitigation Measures		Responsible Party/ Approving Agency	Timing for Standard Condition or Mitigation Measure
	monitoring biologist shall flush Identified Species (avian or other mobile Identified Species) from occupied habitat areas immediately prior to brush-clearing and earth-moving activities. If birds cannot be flushed, they shall be captured in mist nets, if feasible, and relocated to areas of the site to be protected or to the NCCP/HCP Reserve System. It shall be the responsibility of the monitoring biologist to assure that identified bird species shall not be directly impacted by brush-clearing and earth-moving equipment in a manner that also allows for construction activities on a timely basis. • Following the completion of initial grading/earth movement activities, all areas of coastal sage scrub habitat to be avoided by construction equipment and personnel shall be marked with temporary fencing or other appropriate markers clearly visible to construction personnel. No construction access, parking, or storage of equipment or materials shall be permitted within such marked areas. • Coastal sage scrub identified in the NCCP/HCP for protection and located within the likely dust drift radius of construction areas shall be periodically sprayed with water to reduce accumulated dust on the leaves as recommended by the monitoring biologist.		
Mitigation Measure 4.3.2:	**Avoidance of Invasive Nonnative Plant Species.** Prior to issuance of any grading or construction permits, the project Applicant shall provide a final landscape plan for review and approval by the City Community Development Director, or designee, and the City Public Works Director. The final landscape plan shall not include any invasive nonnative plant species on site in association with landscaping and/or redevelopment of the site. For the purposes of this mitigation, invasive nonnative plants are considered those plant species rated as "High" or "Moderate" in the	Applicant/City of Dana Point Community Development Director, or designee; and Director of Public Works	Prior to issuance of grading or construction permits

Table A: Mitigation and Monitoring Reporting Program for Revised Alternative 2

Standard Conditions and Mitigation Measures		Responsible Party/ Approving Agency	Timing for Standard Condition or Mitigation Measure
	California Invasive Plant Council (CAL-IPC) Invasive Plant Inventory.		
Mitigation Measure 4.3.3:	**Migratory Bird Treaty Act (MBTA).** In the event that project construction or grading activities occur within the active breeding season for birds (i.e., February 15 through August 15), a nesting bird survey shall be conducted by a qualified biologist prior to commencement of construction activities. If active nesting of birds is observed within 100 ft of the designated construction area prior to construction, the construction crew shall establish an appropriate buffer around the active nest. A qualified biologist shall determine the buffer distance based on the specific nesting bird species and circumstances involved. Once the designated project biologist verifies that the birds have fledged from the nest, the buffer may be removed. Prior to issuance of any grading or building permits, the City Community Development Director, or designee, shall verify that all project grading and construction plans include specific documentation regarding the requirements of the MBTA, that preconstruction surveys have been completed and the results reviewed by staff, and that the appropriate buffers (if needed) are noted on the plans and established in the field with orange snow fencing.	Applicant/City of Dana Point Planning Director, or designee	Prior to issuance of any grading or building permits
4.4: Cultural Resources			
No standard conditions related to cultural resources would be required.			
Mitigation Measure 4.4.1:	**Archaeological Monitors.** Prior to issuance of grading permits, and in adherence to the recommendations of the cultural resources survey, the project Applicant shall retain a qualified archaeological monitor, subject to review and approval by the City of Dana Point (City) Community Development Director, or designee. This monitor shall be present at the pregrade conference in order to explain the cultural mitigation measures associated with the proposed project. The monitor, in conjunction with the City and the project Applicant will prepare a plan that includes: (1) a description of circumstances that would result in the halting of work at	Applicant/City of Dana Point Community Development Director, or designee	Prior to issuance of grading permits

Table A: Mitigation and Monitoring Reporting Program for Revised Alternative 2

Standard Conditions and Mitigation Measures	Responsible Party/ Approving Agency	Timing for Standard Condition or Mitigation Measure
the project site (e.g., what is considered a "significant" archaeological site); (2) a description of procedures for halting work on site and notification procedures; and (3) a description of monitoring reporting procedures. If any significant historical resources, archaeological resources, or human remains are found during monitoring, work shall stop within the immediate vicinity (precise area to be determined by the archaeologist in the field) of the resource until such time as the resource can be evaluated by an archaeologist and any other appropriate individuals. Project personnel shall not collect or move any archaeological materials or human remains and associated materials. To the extent feasible, project activities shall avoid these deposits. Where avoidance is not feasible, the archaeological deposits shall be evaluated for their eligibility for listing in the California Register of Historic Places. If the deposits are not eligible, avoidance is not necessary. If the deposits are eligible, adverse effects on the deposits must be avoided, or such effects must be mitigated. Mitigation can include, but is not necessarily limited to, the following: excavation of the deposit in accordance with a data recovery plan (see California Code of Regulations Title 4(3) Section 5126.4(b)(3)(C)) and standard archaeological field methods and procedures; laboratory and technical analyses of recovered archaeological materials; production of a report detailing the methods, findings, and significance of the archaeological site and associated materials; curation of archaeological materials at an appropriate facility for future research and/or display; an interpretive display of recovered archaeological materials at a local school, museum, or library; and public lectures at local schools and/or historical societies on the findings and significance of the site and recovered archaeological materials.		

Table A: Mitigation and Monitoring Reporting Program for Revised Alternative 2

Standard Conditions and Mitigation Measures		Responsible Party/ Approving Agency	Timing for Standard Condition or Mitigation Measure
Mitigation Measure 4.4.2:	**Mitigation Measure 4.4.2: Paleontological Resources Impact Mitigation Program.** The Applicant shall retain a qualified paleontologist, subject to the review and approval of the City of Dana Point's (City) Community Development Director, or designee, to prepare a Paleontological Resources Impact Mitigation Program (PRIMP) for the proposed project prior to issuance of any grading permits. The PRIMP shall be consistent with the guidelines of the Society of Vertebrate Paleontology (SVP) and shall include, but not be limited to, the following: • The paleontologist, or his/her representative, shall attend a preconstruction meeting. • A qualified paleontological monitor working under the direction of an Orange County certified paleontologist shall "spot check" grading within the project site. Initially, spot checks are recommended for 2 to 3 hours twice per week during grading. If fossil resources are noted during the spot check, the monitoring level shall be increased to full time for the remaining duration of the grading. • In the event that paleontological resources are encountered when a paleontological monitor is not present, work in the immediate area of the find shall be redirected and the paleontologist contacted to assess the find for scientific significance. The paleontologist shall make recommendations as to whether monitoring shall be required in these sediments on a full-time basis. • Collected resources shall be prepared to the point of identification and permanent preservation in accordance with the recommendations of the *Paleontological Resources Assessment* (Appendix D). This includes washing and picking of mass samples	Applicant/City of Dana Point Community Development Director, or designee	Prior to issuance of grading permits, and if excavation activities are anticipated to extend deeper than 15 feet (ft) below the surface

Table A: Mitigation and Monitoring Reporting Program for Revised Alternative 2

Standard Conditions and Mitigation Measures		Responsible Party/ Approving Agency	Timing for Standard Condition or Mitigation Measure
	to recover small vertebrate and invertebrate fossils and removal of surplus sediment around larger specimens to reduce the storage volume for the repository and the storage cost for the developer. • Any collected resources shall be cataloged and curated into the permanent collections of an accredited scientific institution in accordance with the recommendations of the *Paleontological Resources Assessment* (Appendix D). • At the conclusion of the monitoring program, a report of findings with an appended inventory of specimens shall be prepared. When submitted to the City, the report and inventory shall signify completion of the program to mitigate impacts to paleontological resources in accordance with the recommendations of the *Paleontological Resources Assessment* (Appendix D).		
Mitigation Measure 4.4.3:	**Human Remains.** Consistent with the requirements of the California Code of Regulations (CCR) Section 15064.5(e), if human remains are encountered during site disturbance, grading, or other construction activities on the project site, work within 25 feet of the discovery shall be redirected and the County of Orange (County) Coroner shall be notified immediately. No further disturbance shall occur until the County Coroner has made a determination of origin and disposition pursuant to Public Resources Code Section 5097.98. If the remains are determined to be Native American, the County Coroner shall notify the Native American Heritage Commission (NAHC), which will determine and notify a most likely descendant (MLD). With the permission of the City of Dana Point (City), the MLD may inspect the site of the discovery. The MLD shall complete the inspection within 48 hours of notification by the NAHC. The MLD may recommend scientific removal and nondestructive analysis of human remains and items associated with Native American burials. Consistent with CCR Section 15064.5(d), if the remains are determined to be Native American and an	Applicant/City of Dana Point Community Development Director, or designee	Ongoing during any site disturbance activities

Table A: Mitigation and Monitoring Reporting Program for Revised Alternative 2

	Standard Conditions and Mitigation Measures	Responsible Party/ Approving Agency	Timing for Standard Condition or Mitigation Measure
	MLD is notified, the City shall consult with the MLD as identified by the NAHC to develop an agreement for the treatment and disposition of the remains. Upon completion of the assessment, the consulting archaeologist shall prepare a report documenting the methods and results and provide recommendations regarding the treatment of the human remains and any associated cultural materials, as appropriate, and in coordination with the recommendations of the MLD. The report shall be submitted to the City Community Development Director, or designee, and the South Central Coastal Information Center. The City's Community Development Director, or designee, shall be responsible for reviewing any reports produced by the archaeologist to determine the appropriateness and adequacy of findings and recommendations.		
4.5: Geology and Soils			
No standard conditions related to geology and soils would be required.			
Mitigation Measure 4.5.1	**Incorporation of and compliance with the recommendations in the *Geotechnical Evaluation.*** All grading operations and construction shall be conducted in conformance with the recommendations included in the geotechnical evaluation on the proposed project site that has been prepared by LGC Geotechnical, Inc., titled *Geotechnical Evaluation and Slope Stabilization Design for Environmental Impact Report Purposes, for Proposed Structures at the South Shores Church, City of Dana Point, California* (May 20, 2013) and *Supplemental Geotechnical Slope Stabilization Design* by LGC (December 5, 2013) as applicable, or any subsequent geotechnical evaluation prepared for the project. When finalized plans for the proposed development are approved the geotechnical consultant shall perform a review of the plans and any additional work in order to provide a construction level geotechnical report addressing full ground stabilization, foundation, and grading recommendations. Design, grading, and construction shall be performed	Applicant/City of Dana Point Public Works Director, or designee	Prior to issuance of any grading permits

Table A: Mitigation and Monitoring Reporting Program for Revised Alternative 2

Standard Conditions and Mitigation Measures	Responsible Party/ Approving Agency	Timing for Standard Condition or Mitigation Measure
in accordance with the requirements of the City of Dana Point (City) Municipal Code and the California Building Code (CBC) applicable at the time of grading, appropriate local grading regulations, and the recommendations of the project geotechnical consultant as summarized in a final written report, subject to review and approval by the Director of Public Works, or designee, prior to issuance grading permits. Specific recommendations in the geotechnical evaluations address the following and shall be incorporated into the final project plans and construction level geotechnical report: 1. Mechanical slope stabilization 2. Tieback access excavation 3. Retaining walls for the Community Life Center and Christian Education building 4. Retaining walls for the Pre-School/Administration building and Meditation Garden 5. Existing crib wall 6. Parking structure 7. Deepened foundations for top-of-slope structures 8. Site earthwork 9. Geotechnical consultant role during construction 10. Temporary stability 11. Subsurface drainage 12. Grading plan review		

Table A: Mitigation and Monitoring Reporting Program for Revised Alternative 2

	Standard Conditions and Mitigation Measures	Responsible Party/ Approving Agency	Timing for Standard Condition or Mitigation Measure
	Grading plan review shall also be conducted by the Director of Public Works, or designee, prior to the start of grading to verify that the requirements developed during the geotechnical evaluation have been appropriately incorporated into the project plans. Design, grading, and construction shall be conducted in accordance with the specifications of the project geotechnical consultant as summarized in a final report based on the CBC applicable at the time of grading and building and the City Municipal Code. On-site inspection during grading shall be conducted by the project geotechnical consultant and the Director of Public Works, or designee, to ensure compliance with geotechnical specifications as incorporated into project plans.		
Mitigation Measure 4.5.2	**Maintenance of Unimproved Slopes.** Prior to issuance of grading permits, the Applicant shall submit for review and approval by the City Director of Community Development and Director of Public Works a grading plan review report that includes a long-term slope maintenance program for the unimproved slopes, such as establishing plants, avoiding concentration of water to the subsurface, discouraging rodent activity, and repairing erosion rills. The Applicant shall demonstrate to the City Director of Community Development and Director of Public Works that he/she is prepared to implement all slope maintenance procedures described in the grading plan review report. All future transfers of the property shall have conditions requiring the recipient to assume responsibility for implementation of the slope maintenance program.	Applicant/City of Dana Point Public Works Director, or designee	Prior to issuance of any grading permits
Mitigation Measure 4.5.3	**Additional Testing and Analysis for Corrosive Soils.** A final geotechnical design report, including the structural foundation designs, shall be prepared by the project Applicant and submitted for review and approval by the City Community Development Director and the City Public Works Director, or designee, prior to issuance of any construction permits. The final geotechnical design report shall include	Applicant/City of Dana Point Community Development Director and Public Works Director, or designee	Prior to issuance of any construction permits

Table A: Mitigation and Monitoring Reporting Program for Revised Alternative 2

Standard Conditions and Mitigation Measures		Responsible Party/ Approving Agency	Timing for Standard Condition or Mitigation Measure
	the results of additional soil testing and analysis to determine the corrosivity of the soils. The project engineer shall design the structural foundations in accordance with the results of the soil testing.		
4.6: Greenhouse Gas Emissions			
No standard conditions related to greenhouse gas emissions would be required. The proposed project would not result in significant adverse impacts related to greenhouse gas emissions and global climate change; therefore, no mitigation measures are required.			
4.7: Hazards and Hazardous Materials			
No standard conditions related to hazards and hazardous materials would be required.			
Mitigation Measure 4.7.1:	**Predemolition Surveys.** Prior to commencement of demolition activities, the City of Dana Point (City) Building Official, or designee, shall verify that predemolition surveys for asbestos-containing materials (ACMs) and lead-based paints (LBPs) (including sampling and analysis of all suspected building materials) and inspections for polychlorinated biphenyl (PCB)-containing electrical fixtures shall be performed. All inspections, surveys, and analyses shall be performed by appropriately licensed and qualified individuals in accordance with applicable regulations (i.e., American Society for Testing and Materials (ASTM) E 1527-05, and 40 Code of Federal Regulations (CFR), Subchapter R, Toxic Substances Control Act [TSCA], Part 716). If the predemolition surveys do not find ACMs, LBPs, or PCB-containing electrical fixtures, the inspectors shall provide documentation of the inspection and its results to the City Building Department to confirm that no further abatement actions are required. If the predemolition surveys find evidence of ACMs, LBPs, or PCB-containing electrical fixtures, all such materials shall be removed, handled, and properly disposed of by appropriately licensed contractors according to all applicable regulations during demolition of structures (40 CFR, Subchapter R, TSCA, Parts 745, 761, and 763). Air monitoring during these predemolition surveys shall be completed by appropriately licensed and qualified individuals in accordance with	Applicant/City of Dana Point Building Official or designee and County of Orange Environmental Health Division (if applicable)	Prior to commencement of any demolition activities

Table A: Mitigation and Monitoring Reporting Program for Revised Alternative 2

Standard Conditions and Mitigation Measures		Responsible Party/ Approving Agency	Timing for Standard Condition or Mitigation Measure
	applicable regulations both to ensure adherence to applicable regulations (e.g., South Coast Air Quality Management District [SCAQMD]) and to provide safety to workers and the adjacent community. The City shall provide documentation (e.g., all required waste manifests, sampling, and air monitoring analytical results) to the County of Orange Environmental Health Division showing that abatement of any ACMs, LBPs, or PCB-containing electrical fixtures identified in these structures has been completed in full compliance with all applicable regulations and approved by the appropriate regulatory agency(ies) (40 CFR, Subchapter R, TSCA, Parts 716, 745, 761, 763, and 795 and California Code of Regulations [CCR] Title 8, Article 2.6). An Operating & Maintenance (O&M) Plan shall be prepared for any ACM, LBP, or PCB-containing fixtures to remain in place and will be reviewed and approved by the County of Orange Environmental Health Division.		
Mitigation Measure 4.7.2:	**Contingency Plan.** Prior to commencement of grading activities, the Director of the Orange County Environmental Health Division, or designee, shall review and approve a contingency plan that addresses the potential to encounter on-site unknown hazards or hazardous substances during demolition and construction activities. The plan shall indicate that if construction workers encounter underground tanks, gases, odors, uncontained spills, or other unidentified substances, the contractor shall stop work, cordon off the affected area, and notify the Orange County Fire Authority (OCFA). The OCFA responder shall determine the next steps regarding possible site evacuation, sampling, and disposal of the substance consistent with local, State, and federal regulations.	Applicant/ County of Orange Environmental Health Division	Prior to commencement of any grading activities

Table A: Mitigation and Monitoring Reporting Program for Revised Alternative 2

Standard Conditions and Mitigation Measures		Responsible Party/ Approving Agency	Timing for Standard Condition or Mitigation Measure
4.8: Hydrology and Water Quality			
No standard conditions related to hydrology and water quality would be required.			
Refer to Mitigation Measure 4.5.2 above.			
Mitigation Measure 4.8.1:	**Construction General Permit.** Prior to issuance of a grading permit, the Applicant shall obtain coverage under the *State Water Resources Control Board National Pollutant Discharge Elimination System General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities* (Order No. 2009-0009-DWQ, Permit No. CAS000002) (Construction General Permit [CGP]). The Applicant shall provide the Waste Discharge Identification Number to the City of Dana Point (City) Director of Public Works to demonstrate proof of coverage under the CGP. A Storm Water Pollution Prevention Plan (SWPPP) shall be prepared and implemented for the project in compliance with the requirements of the CGP. The SWPPP shall identify construction Best Management Practices (BMPs) to be implemented to ensure that the potential for soil erosion and sedimentation is minimized and to control the discharge of pollutants in storm water runoff as a result of construction activities. Erosion, Sediment, Wind, and Temporary Tracking Control BMPs that may be implemented include, but are not limited to, the following: • Scheduling • Preservation of existing vegetation • Hydraulic mulch • Hydroseeding • Soil binders • Straw mulch • Geotextiles and mats	Applicant/City of Dana Point Public Works Director, or designee	Prior to issuance of a grading permit

Table A: Mitigation and Monitoring Reporting Program for Revised Alternative 2

Standard Conditions and Mitigation Measures	Responsible Party/ Approving Agency	Timing for Standard Condition or Mitigation Measure
• Wood mulching • Earth dikes and drainage swales • Velocity dissipation devices • Slope drains • Streambank stabilization • Compost blankets • Soil preparation/roughening • Non-vegetative stabilization • Silt fences • Sediment basins • Sediment traps • Check dams • Fiber rolls • Gravel bag berms • Street sweeping and vacuuming • Sandbag barriers • Straw bale barriers • Storm drain inlet protection • Active treatment systems • Temporary silt dikes		

Table A: Mitigation and Monitoring Reporting Program for Revised Alternative 2

Standard Conditions and Mitigation Measures		Responsible Party/ Approving Agency	Timing for Standard Condition or Mitigation Measure
	• Compose socks and berms • Biofilter bags • Stabilized construction entrances/exits • Stabilized construction roadways • Entrance/outlet tire washes		
Mitigation Measure 4.8.2:	**Erosion Control Plan.** In compliance with Chapter 8.01 of the City Municipal Code, during construction, the Applicant shall submit an erosion control plan annually by September 1 to the City Director of Public Works. The erosion control plans shall be prepared in accordance with Subarticle 13 of City Grading Manual. The Erosion Control Plan shall include, but not be limited to, the following: • The name and 24 hour telephone number of the person responsible for performing emergency erosion control work. • The signature of the civil engineer or other qualified individual who prepared the grading plan and who is responsible for inspection and monitoring of the erosion control work. • All desilting and erosion protection facilities necessary to protect adjacent property from sediment deposition. • The streets and drainage devices that shall be completed and paved by October 15 of each year. • The placement of sandbags or gravel bags. Slope planting or other measures to control erosion from all slopes above and adjacent to roads open to the public. Gravel bags are preferred over sandbags. • The plan shall indicate how access shall be provided to maintain desilting facilities during wet weather.	Applicant/City of Dana Point Public Works Director, or designee	Ongoing during construction

Table A: Mitigation and Monitoring Reporting Program for Revised Alternative 2

Standard Conditions and Mitigation Measures		Responsible Party/ Approving Agency	Timing for Standard Condition or Mitigation Measure
Mitigation Measure 4.8.3:	**Water Quality Management Plan.** Prior to issuance of grading permits, the Applicant shall submit a Final Water Quality Management Plan (WQMP) to the City Director of Public Works for review and approval. The WQMP shall be consistent with the City's Model Water Quality Management Plan (Model WQMP) and the project's revised preliminary WQMP, as conceptually approved on March 3, 2015. Project-specific Low-Impact Development, Detention/Biofiltration Site Design, Source Control, or Treatment Control BMPs contained in the Final WQMP shall be incorporated into final design and comply with the Model WQMP requirements in effect at the time of submittal of each phase. The BMPs shall be properly designed and maintained to target pollutants of concern and reduce runoff from the project site. The WQMP shall include an operations and maintenance (O&M) Plan for the prescribed BMPs to ensure their long-term performance. The O&M Plan shall include, but not be limited to, the following requirements: • Operation and maintenance records shall be retained a minimum of 5 years. • Training and educational activities and BMP operation and maintenance shall be documented to verify compliance with the O&M Plan. • A WQMP Verification Form shall be submitted to the City of Dana Point annually by September 1. • BMPs shall be inspected for standing water on a regular basis. • Operation and inspection requirements for the Low-Impact Development, Detention/Biofiltration Site Design, Source Control, or Treatment Control BMPs shall be included.	Construction Contractor/Applicant/City of Dana Point Public Works Director, or designee	Prior to the issuance of grading permits

Table A: Mitigation and Monitoring Reporting Program for Revised Alternative 2

Standard Conditions and Mitigation Measures		Responsible Party/ Approving Agency	Timing for Standard Condition or Mitigation Measure
4.9: Land Use and Planning			
No standard conditions related to land use and planning would be required.			
Refer to Mitigation Measure 4.3.1 above.			
4.10: Noise			
Standard Condition 4.10.1:	**Short-Term Construction-Related Noise Impacts.** The following standard conditions are required of all development within the City of Dana Point (City) and would reduce short-term construction-related noise impacts resulting from the proposed project: • During all project site excavation and grading, the project contractors should equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers consistent with manufacturers' standards. • The project contractor should place all stationary construction equipment so that emitted noise is directed away from the relatively more sensitive receptors nearest the project site. • The construction contractor should locate equipment staging in areas that will create the greatest distance between construction-related noise sources and relatively more noise-sensitive receptors nearest the project site during all project construction. • The construction contractor shall limit all grading and equipment operations and all construction-related activities that would result in high noise levels (90 dBA or greater) to between the hours of 10:00 a.m. and 4:00 p.m., Monday through Friday. No high noise level construction activities shall be permitted outside of these hours or on Saturdays, Sundays, and federal holidays.	Applicant/City of Dana Point Community Development Director, or designee	Ongoing during construction

Table A: Mitigation and Monitoring Reporting Program for Revised Alternative 2

Standard Conditions and Mitigation Measures		Responsible Party/ Approving Agency	Timing for Standard Condition or Mitigation Measure
Mitigation Measure 4.10.1:	Prior to the issuance of any grading or building permits for Phase 1C, the Applicant shall submit the building plans for review and approval by the City of Dana Point (City) Building Official, or designee, to ensure that building facade upgrades, including but not limited to windows with Sound Transmission Class (STC)-30 or higher, have been included in the plans for the western facade of the Community Life Center along Crown Valley Parkway to reduce noise levels associated with traffic noise to an acceptable level.	Applicant/City of Dana Point Building Official, or designee	Prior to the issuance of any grading or building permits for Phase 1C
4.11: Public Services and Utilities			
Standard Condition 4.11.1:	**Orange County Fire Authority Plan Check.** Prior to the issuance of building permits, approval of final building design plans (including all fire prevention and suppression systems) by OCFA is required. Approval of the final building design plans would ensure that the development is constructed pursuant to California Fire Code (CFC) requirements.	Applicant/City of Dana Point Community Development Director, or designee, and Orange County Fire Authority	Prior to the issuance of any building permits
The proposed project would not result in significant adverse impacts related to public services and utilities; therefore, no mitigation measures are required.			
4.12 Traffic and Circulation			
Standard Condition 4.12.1:	**Construction Management Plan.** Prior to the issuance of demolition, grading or any construction permits, the project Applicant shall submit a Construction Management Plan for review and approval by the City of Dana Point (City) Engineer. The Construction Management Plan shall include, at a minimum, the following measures, which shall be implemented during all construction activities as overseen by the construction contractor: • Traffic controls shall be implemented for any street closure, detour, or other disruption to traffic circulation. • The routes that construction vehicles shall utilize for the delivery of construction materials (i.e., lumber, tiles, piping, windows, etc.) to access the site shall be identified; traffic controls and detours shall be identified; and the proposed	Applicant/City of Dana Point Engineer, or designee	Prior to the issuance of any demolition, grading, or construction permits

Table A: Mitigation and Monitoring Reporting Program for Revised Alternative 2

Standard Conditions and Mitigation Measures	Responsible Party/ Approving Agency	Timing for Standard Condition or Mitigation Measure
construction phasing plan for the project shall be provided. • The hours during which transport activities will occur shall be specified. • Identify the haul route for the materials to be removed (i.e., concrete, soil, steel, etc.) during the demolition phase and/or soil import during the site preparation phase. • Subject to the direction of the City's Traffic Engineer, haul operations associated with the materials export/soil import may be prohibited during the a.m. and p.m. peak commute periods (i.e., between 7:00 a.m. and 9:00 a.m. and between 4:00 p.m. and 6:00 p.m.). • The Applicant shall keep all haul routes clean and free of debris including but not limited to gravel and dirt as a result of its operations. The Applicant shall clean adjacent streets, as directed by the City's Traffic Engineer (or representative of the City Engineer), of any material which may have been spilled, tracked, or blown onto adjacent streets or areas. • Hauling or transport of oversize loads shall be allowed between the hours of 9:00 a.m. and 3:00 p.m. only, Monday through Friday, unless approved otherwise by the City Engineer. No hauling or transport shall be allowed during nighttime hours, weekends or Federal holidays. • Use of local streets shall be prohibited. • Haul trucks entering or exiting public streets shall at all times yield to public traffic. • If hauling operations cause any damage to existing pavement, street, curb, and/or gutter along the haul route, the Applicant		

Table A: Mitigation and Monitoring Reporting Program for Revised Alternative 2

	Standard Conditions and Mitigation Measures	Responsible Party/ Approving Agency	Timing for Standard Condition or Mitigation Measure
	shall be fully responsible for repairs. The repairs shall be completed to the satisfaction of the City Engineer. • All construction-related parking and staging of vehicles will be kept out of the adjacent public roadways and will occur on-site to the extent feasible. • This Construction Management Plan shall meet standards established in the current *California Manual on Uniform Traffic Control Device (MUTCD)*, as well as City of Dana Point requirements.		
Mitigation Measure 4.12.1:	**Off-Site Shared Parking Agreement.** Prior to the issuance of any demolition, grading, or construction permits associated with any phase of the proposed project, the project Applicant shall obtain the City of Dana Point (City) Planning Commission's approval for an updated Parking Management Plan as detailed in Chapter 9.35 of the City's Zoning Ordinance. The Parking Management Plan shall include parking agreements to accommodate parking needs for each construction phase off-site or other means to provide required spaces on-site during each phase on Sundays in an amount equal to or greater than the following number of spaces for each corresponding phase: • Phase 1A – 101 parking spaces; • Phase 1B – 60 parking spaces; • Phase 1B-E1 – 62 parking spaces; • Phase 1B-E2 – 62 parking spaces; • Phase 1C – 118 parking spaces (during the first 2 months of this phase);	Applicant/City of Dana Point Community Development Director and Public Works Director, or designee	Prior to the issuance of any demolition, grading, or construction permits associated with any phase of the proposed project

Table A: Mitigation and Monitoring Reporting Program for Revised Alternative 2

Standard Conditions and Mitigation Measures	Responsible Party/ Approving Agency	Timing for Standard Condition or Mitigation Measure
• Phase 2 – 161 parking spaces; • Phase 3 – 29 parking spaces; • Phase 4 – 34 parking spaces; and • Phase 5 – 121 parking spaces. The off-site shared parking agreement for each construction phase shall be in effect until commencement of the following phase or until the Applicant demonstrates to the City's Community Development Director and Public Works Director, or designee, that the project site is able to provide adequate on-site parking to meet the proposed project's parking demand.		

VICINITY MAP

CDP04-11/SDP04-31/CUP04-21
South Shores Church
32712 Crown Valley Parkway

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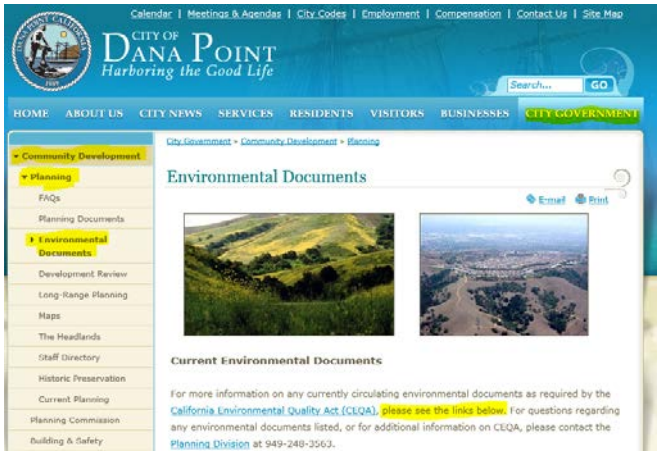
ATTACHMENT #3

ATTACHMENT #4
SOUTH SHORES CHURCH FINAL PLANS

(Click on the hyperlink below)
http://www.danapoint.org/index.aspx?page=281



South Shores Church Master Plan-Final (3-20-15)

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South Shores Church FEIR Vol 2.2 (PDF)
South Shores Church FEIR Vol 2.3 (PDF)
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South Shores Church FEIR Vol 3.4 (PDF)
South Shores Church FEIR Vol 3.5 (PDF)
South Shores Church FEIR Vol 3.6 (PDF)
South Shores Church FEIR Vol 3.7 (PDF)
South Shores Church FEIR Vol 3.8 (PDF)
South Shores Church FEIR Vol 3.9 (PDF)
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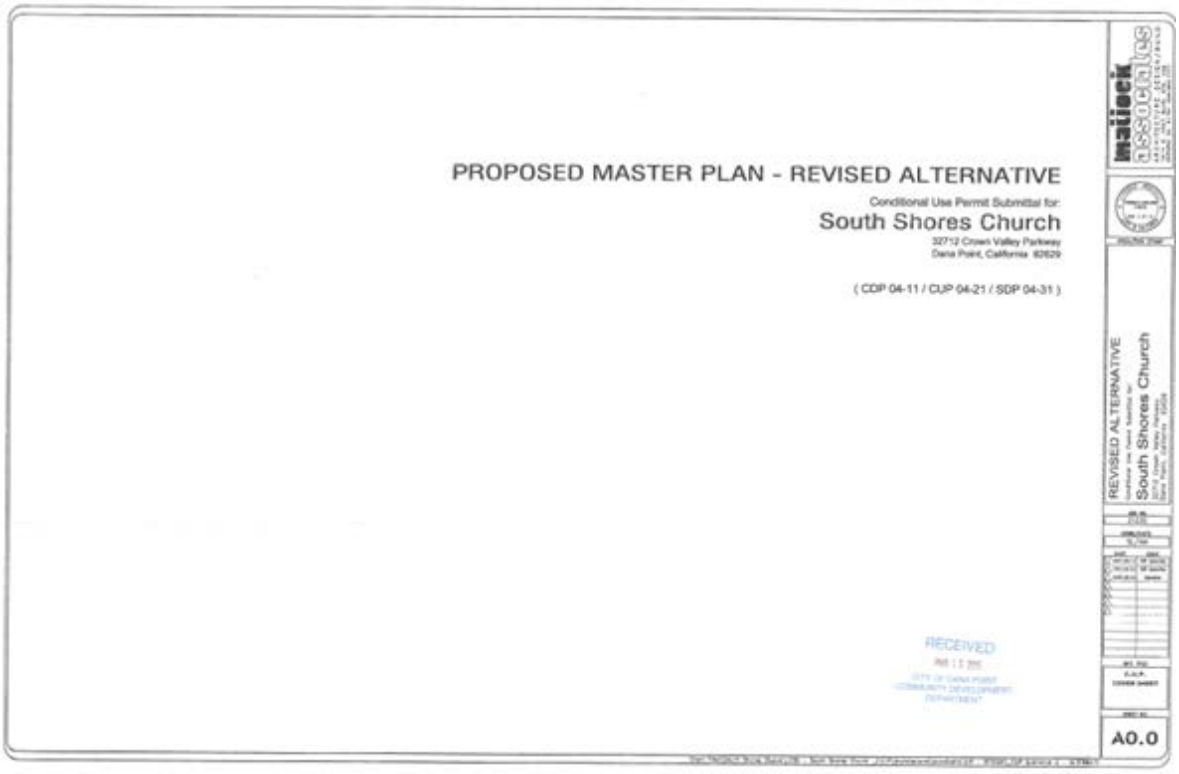
South Shore Church Final Plans (PDF)



ATTACHMENT #5
DRAFT EIR

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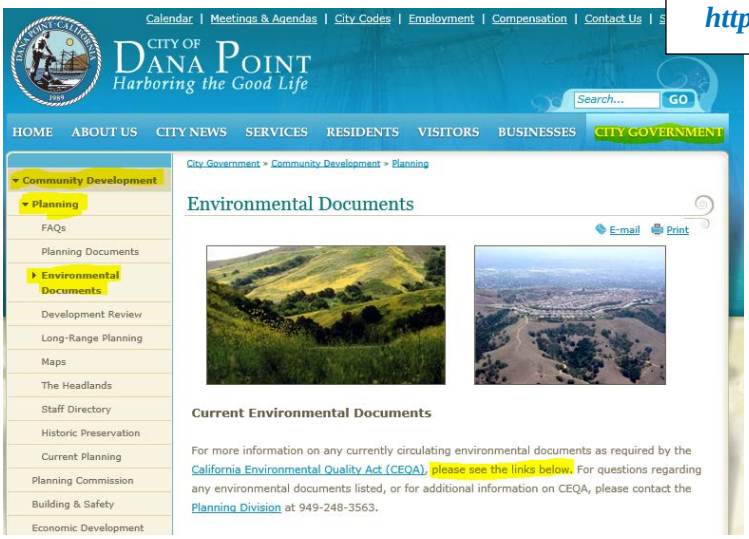

South Shores Church Master Plan-Draft

South Shores Church Draft EIR Vol I (1of 4) (PDF)
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South Shores Church Draft EIR Vol I (3 of 4) (PDF)
South Shores Church Draft EIR Vol I (4 of 4) (PDF)
South Shores Church Draft EIR Vol II (1 of 3) (PDF)
South Shores Church Draft EIR Vol II (2 of 3) (PDF)
South Shores Church Draft EIR Vol II (3 of 3) (PDF)
South Shores Church Draft EIR Vol III (1 of 12) (PDF)
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South Shores Church Draft EIR Vol III (3 of 12) (PDF)
South Shores Church Draft EIR Vol III (4 of 12) (PDF)
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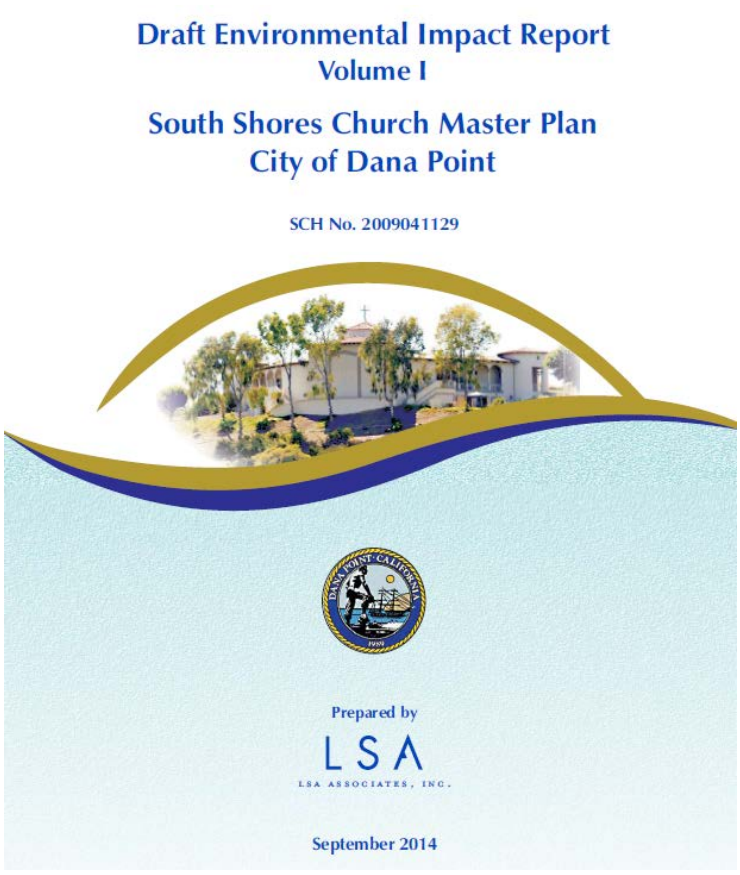
South Shores Church Draft EIR Vol III (8 of 12) (PDF)
South Shores Church Draft EIR Vol III (9 of 12) (PDF)
South Shores Church Draft EIR Vol III (10 of 12) (PDF)
South Shores Church Draft EIR Vol III (11 of 12) (PDF)
South Shores Church Draft EIR Vol III (12 of 12) (PDF)
South Shores Church NOA (PDF)
Notice of Preparation Draft EIR & Public Scoping Meeting (PDF)
Initial Study (PDF)

Comments Received on Draft EIR (PDF)

South Shores Church Proposed Master Plan (PDF)
South Shores Church Proposed Master Plan Alternative (PDF)

South Shores Church Study Session 10/13/2014 Flyer (PDF)



ATTACHMENT #6
FINAL EIR

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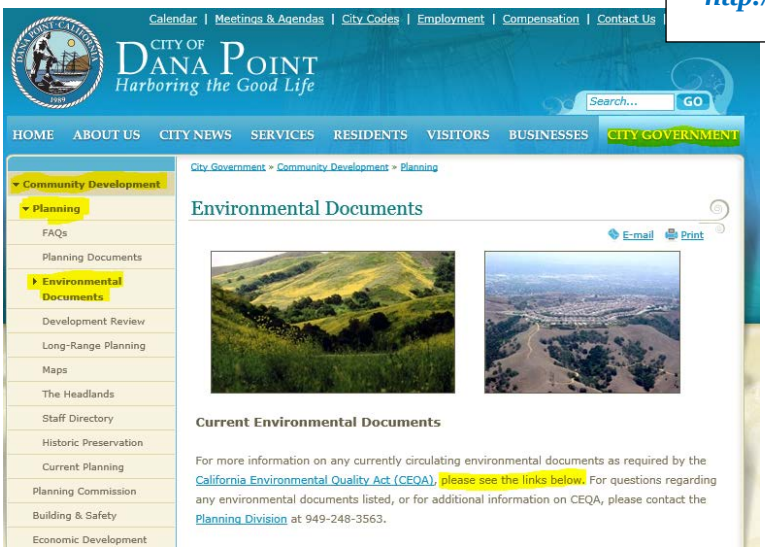

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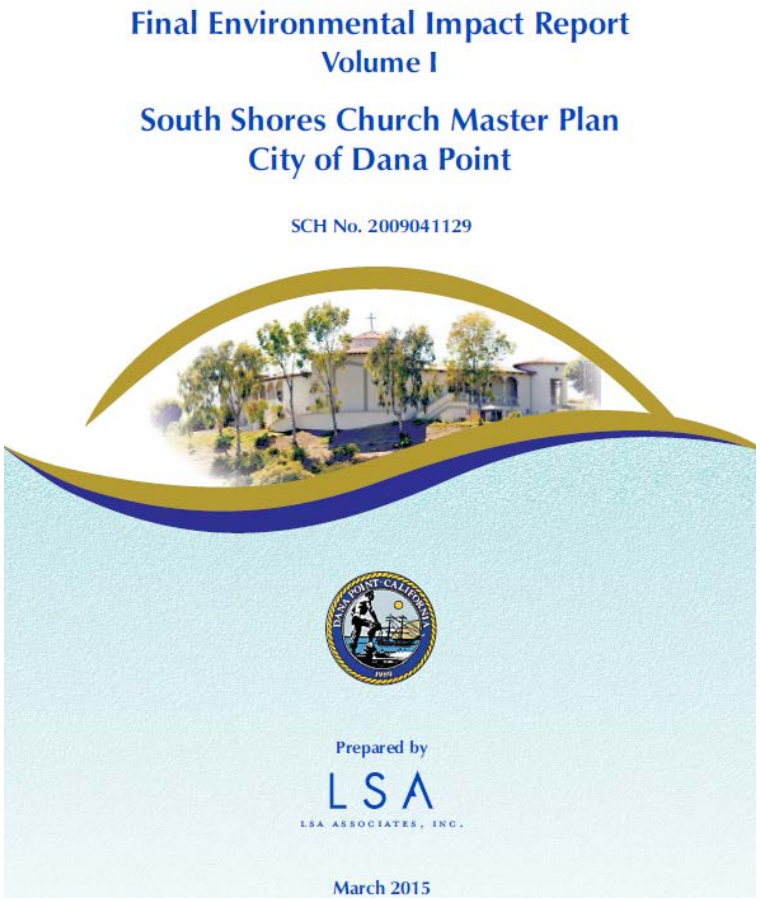

Conditional Use Permit Submittal for:
South Shores Church
32712 Crown Valley Parkway
Dana Point, California 92629

PARKING MANAGEMENT PLAN – Revised Alternative:

Prepared by: G.G. Kohlhagen – South Shores Church – Date: December 2014 March 2015

Overview:

The following proposed Parking Management Plan utilizes information contained in the Conditional Use Permit (C.U.P.) Submittal for South Shores Church. The Architectural package prepared by Matlock Associates, Inc., and specifically sheets A5.0 through A5.2 showcase the Phasing Diagrams. Each diagram provides an overview of the parking impacts anticipated for each phase by construction needs as well as projecting the available parking spaces on site during each respective phase.

The actual Sunday Peak Parking Demand is derived by the Traffic Impact Analysis Report. Any temporary deficits as computed and compared to the parking counts shown in the Architectural package and herein will be handled by offsite satellite parking agreements. Shuttle services/carpooling arrangements will be implemented for transport of congregation participants during these times of construction to and from satellite locations. Correspondence to date provides favorable consideration of forthcoming requests, yet due to the review process of the C.U.P. submission being ongoing and the long-term nature of both the project approval process as well as the proposed construction phasing, formal agreements for each respective phase of construction will be finalized prior to commencement of construction.

Nonetheless, please see the accompanying "Letter of Intent" from St. Anne School in Laguna Niguel and the corresponding letter from the City of Laguna Niguel also acknowledging an amenable understanding of this future consideration. St. Anne is located off of Camino Del Avion and is conveniently located to South Shores Church. Ninety (90) parking spaces are acknowledged for future use during construction.

In addition, please see the accompanying "Letter of Intent" from the County of Orange for the use of the parking lot in Laguna Niguel located off of Pacific Island Drive near the vicinity of the signalized intersection with Alicia Parkway for Phase 1A construction as well. This property is also conveniently located in route to South Shores Church. One hundred (100) parking spaces are acknowledged for future use during construction.

Both the St. Anne School and the County of Orange "Letter of Intent" provide substantiation that obtaining satellite parking will be possible for Phase 1A.

To reiterate, formal agreement(s) for Phase 1A, as well as future agreements for the remaining phases will be submitted as required with the construction permitting process for each respective phase. South Shores Church will submit as necessary phase by phase documentation showing off-site location(s), parking counts as related to each phase shown herein, and documentation showing off-site parking counts needed as necessary to mitigate any deficits derived.

However, South Shores Church also reserves the right (and South Shores Church recognizes that the City will have the right pursuant to project conditions of approval) to adjust scheduling for Sundays to off-set burdensome periods if off-site parking is not obtained.

ATTACHMENT #7

Please note that on-street parking along Crown Valley Parkway (the only public street parking in the vicinity of the project site) is not a component of the Parking Management Plan solution(s) documented herein. No inclusions are made or implied, and, though legal until posted "No Parking Anytime" restrictions are in place, South Shores Church intends to move forward with the project assuming that parking along Crown Valley Parkway could be eliminated at any time.

Parking Management Plan for Sunday Services:

Preface:

South Shores Church seeks to maintain as many current and ongoing operations as practical throughout completion of the Master Plan. The Parking Management Plan addresses Sunday Peak Parking Demand needs, as derived by the Traffic Impact Analysis Report in conjunction with the documentation of the Architectural package as cited herein. The Parking Management Plan addresses the number of parking spaces per each phase and documents the requirement for each forthcoming parking agreement. Table PM-1 included herein documents the parking deficits per each construction phase. The computed deficit for each phase shown in Table PM-1, projects each necessary off-site parking agreement in order to maintain optimum operations. The number of parking spaces approved for use will be provided along with the location(s) of the off-site parking lots. Agreements will be between South Shores Church and area businesses or entities and documentation of permission and approval will be provided as necessary along with the parking counts allowed for use. In the event hardships occur in pursuit of said agreements South Shores Church reserves the right to initiate the aforementioned scheduling changes and ministry opportunities to off-set parking demands in order to maintain construction needs. Proper documentation will be provided in the event this option is initiated at that time.

Phase 1A – Construction of the Preschool / Administration Building (12 Months):

Per Table PM-1 (101) parking spaces are needed by an off-site parking agreement to maintain Sunday Peak Parking demand requirements. South Shores Church will seek a formal agreement to mitigate this deficit number and provide accordingly during the construction permitting process for this phase of the project. Please see the attached "Letter of Intent" substantiating "in good faith" this future opportunity with St. Anne School in Laguna Niguel off of Camino Del Avion and the corresponding letter from the City of Laguna Niguel also acknowledging an amenable understanding of this future consideration. Beyond securing the formal agreement with St. Anne South Shores Church will pursue the corresponding Temporary Use Permit as required with the City of Laguna Niguel. Ninety (90) parking spaces are acknowledged for future use during construction. In addition, please see the accompanying "Letter of Intent" from the County of Orange for the use of the parking lot in Laguna Niguel located off of Pacific Island Drive near the vicinity of the signalized intersection with Alicia Parkway for Phase 1A construction as well. One hundred (100) parking spaces are acknowledged for future use during construction.
NOTE: Any parking deficit at Phase 1A completion will be managed by the offsite satellite parking agreement for Phase 1B construction as this phase begins immediately thereafter.

Phase 1B, 1B.E1 and 1B.E2 – Demolition and Remedial Earthwork Construction Phases (3 Months each):

Per Table PM-1 (60/62) parking spaces are needed by an off-site parking agreement to maintain Sunday Peak Parking demand requirements. South Shores Church will seek a formal agreement to mitigate this deficit number and provide accordingly during the construction permitting process for this phase of the project.
NOTE: Any parking deficit for these phases after completion of each respective phase will be managed by the offsite satellite parking agreement for the subsequent phase of construction as each phase begins immediately thereafter.

Phase 1C – Construction of the Community Life Center (12 Months):

Per Table PM-1 (118) parking spaces are needed by an off-site parking agreement to maintain Sunday Peak Parking demand requirements. South Shores Church will seek a formal agreement to mitigate this deficit number and provide accordingly during the construction permitting process for this phase of the project. In the event hardships occur in pursuit of agreement needs, South Shores Church reserves the right to initiate scheduling changes and ministry opportunities to off-set parking demands in order to maintain construction needs. Proper documentation will be provided in the event this option is initiated during this construction permitting process for this phase of the project.
NOTE: The construction deficit of (118) parking spaces is for a period two months (+/-). After this period, the deficit is reduced to (0) for the remainder of this phase of construction and after completion of Phase 1C there is no deficit.

Phase 2 – Construction of the South Half of the Parking Structure (6 Months):

Per Table PM-1 (161) parking spaces are needed by an off-site parking agreement to maintain Sunday Peak Parking demand requirements. South Shores Church will seek a formal agreement to mitigate this deficit number and provide accordingly during the construction permitting process for this phase of the project. In the event hardships occur in pursuit of agreement needs, South Shores Church reserves the right to initiate scheduling changes and ministry opportunities to off-set parking demands in order to maintain construction needs. Proper documentation will be provided in the event this option is initiated during this construction permitting process for this phase of the project.
NOTE: The construction deficit of (161) parking spaces is for a period six months (+/-).

Phase 3 – Construction of Christian Education Building 1 (12 Months):

Per Table PM-1 (29) parking spaces are needed by an off-site parking agreement to maintain Sunday Peak Parking demand requirements. South Shores Church will seek a formal agreement to mitigate this deficit number and provide accordingly during the construction permitting process for this phase of the project.

Phase 4 – Construction of Christian Education Building 2 (12 Months):

Per Table PM-1 (34) parking spaces are needed by an off-site parking agreement to maintain Sunday Peak Parking demand requirements. South Shores Church will seek a formal agreement to mitigate this deficit number and provide accordingly during the construction permitting process for this phase of the project.

Phase 5 – Construction of the North Half of the Parking Structure (6 Months):

Per Table PM-1 (1421 parking spaces are needed by an off-site parking agreement to maintain Sunday Peak Parking demand requirements. South Shores Church will seek a formal agreement to mitigate this deficit number and provide accordingly during the construction permitting process for this phase of the project. In the event hardships occur in pursuit of agreement needs, South Shores Church reserves the right to initiate scheduling changes and ministry opportunities to off-set parking demands in order to maintain construction needs. Proper documentation will be provided in the event this option is initiated during this construction permitting process for this phase of the project.
NOTE: The construction deficit of (121) parking spaces is for a period six months (+/-).

Master Plan – Completion:

The Sunday Peak Parking Demand is (352) at completion. Per Table PM-1 (364) Parking Spaces will be provided on site.

Conclusion:

Parking provided on site is adequate at project completion.

Prepared by: G.G. Kohlhagen – South Shores Church – Date: December 2014 March 2015

Conditional Use Permit Submittal for:
South Shores Church
32712 Crown Valley Parkway
Dana Point, California 92629

EXPOSITORY OF PROPOSED PARKING MANAGEMENT PLAN – Revised Alternative – Construction Phasing Improvements:

Prepared by: G.G. Kohlhagen – South Shores Church – Date: December 2014 March2015

Proposed Construction Phasing and Parking Management Plan Project Objective(s)/Components:

- South Shores Church seeks to continue its existing operations to the greatest extent possible during construction and between phases. This is why South Shores Church has long proposed beginning the Master Plan with construction of the dual-use temporary pre-school/administration building in the southeast portion of the property (as this allows continuation of all weekday operations with the exception of the Women's Bible Study Fellowship as well as all Sunday Services and Bible Study classes).

- South Shores Church respectfully submits that the parking deficit during the initial construction period (101 spaces) is manageable, as all indications are that contractual commitments for the exclusive use of at least this many off-site parking spaces can be obtained during the Sunday peak period. Phase 1.A will allow for immediate "testing/verification" that the approach to managing peak period parking deficits is sound and implementable, and South Shores Church does not object to inclusion of a condition of approval that authorizes the City to require discontinuance or re-scheduling of any operations during Phase 1.A if determined necessary to avoid peak period parking problems.

- Completion of Phase 1.A will allow for relocation of the pre-school and administrative operations to the southeast portion of the property, whereupon demolition of the existing pre-school and administration facilities will commence immediately (Phase 1.B). The Church does not object to inclusion of a condition of approval that prohibits occupancy of the both the new building constructed in Phase 1.A and the existing pre-school and administration buildings.

- Phases 1.B, 1.B.E1 and 1.B.E.2, are similar to Phase 1.A. in terms of access, and the peak period deficit during construction is substantially less than during Phase 1.A. If parking management measures during Phase I.A. work as proposed, then Phase 1.B. parking deficits should also be manageable. South Shores Church does not object to inclusion of a condition of approval that authorizes the City to require discontinuance or re-scheduling of any operations during Phase 1.B if determined necessary to avoid peak period parking problems.

- There is a short period at the front of Phase 1.C. (estimated duration of approximately 2 months) where the peak period parking shortfall is substantial because work on the main access drive and northern portion of the surface parking lot occurs. South Shores Church proposes to discontinue temporarily two Sunday Bible Study classes that run concurrent with the 2nd and 3rd Worship Services, respectively. Using the parking demand factor generated by LSA for the DEIR, this would reduce the two-month peak period shortfall to 118 spaces (slightly more than projected for Phase 1.A). Upon completion of the new access drive and surface parking lot improvements at the

beginning of Phase 1.C and 12 newly proposed temporary spaces, there will be NO PARKING SHORTFALL FOR THE REMAINDER OF PHASE 1.C This is significant, because South Shores Church anticipates up to a two-year pause in construction activities between Phase 1.C. and the newly proposed Phase 2.

- In response to comments, South Shores Church now proposes construction of the southern half of the parking structure as Phase 2 (this was formerly Phase 4). This allows South Shores Church to complete all construction nearest the Monarch Bay Villas during the first two phases, and increases the number of parking spaces available on-site during all subsequent phases of construction.

- On-site parking spaces during the construction of the southern half of the parking structure (estimated construction time: 6 months) will be limited to 84 spaces. Weekday activities will be adequately parked on-site, but the Sunday peak period shortfall will be at its greatest (160 spaces) during this phase, even with the newly-proposed temporary discontinuance of two of the Sunday Bible studies that run concurrent with the 2nd and 3rd Worship Services. South Shores Church does not object to inclusion of a condition of approval that authorizes the City to require the discontinuance or re-scheduling of any operations during Phase 2 if determined necessary to avoid peak period parking problems.

- Proposed Phases 3 and 4 are former Phases 2 and 3 (the Christian Education buildings). Peak period parking shortfalls are relatively small and should be manageable using off-site parking agreements. Nevertheless, South Shores Church does not object to inclusion of a condition of approval that authorizes the City to require the discontinuance of any operations during these phases if determined necessary to avoid peak period parking problems.

- Phase 5 remains the same (construction of the northern half of the parking structure; estimated construction time: 6 months). Because of the relatively large peak-period parking shortfall, the Church proposes to discontinue temporarily the same two Bible studies proposed to be discontinued during Phase 1.C and Phase 2. South Shores Church does not object to inclusion of a condition of approval that authorizes the City to require the discontinuance or re-scheduling of any operations during these phases if determined necessary to avoid peak period parking problems.

See Proposed Master Plan Alternative Parking Management Plan Attached.

Table PM – 1 (Parking Management Plan for Sunday Services) Revised Alternative

Prepared by: G.G. Kohlhagen – South Shores Church – Date: December 2014 March 2015

PHASE 1A – Preschool / Admin.	PHASE 3 – CE Building 1
Existing Parking Spaces.....228 Spaces taken for Staging Area.....34 Spaces taken for new construction.....33 Parking Spaces Available.....161 Sunday Peak Parking Demand Ph. 1A....262 Parking Deficit Phase 1A Construction...101 (12 Months) Parking Spaces at completion.....210 Parking Deficit Phase 1A Completion.....52	Existing Parking Spaces.....294 Spaces taken for Staging Area.....34 Spaces taken for new construction.....12 Spaces taken for parking access.....6 Parking Spaces Available.....242 Sunday Peak Parking Demand Ph. 3.....271 Parking Deficit Phase 3 Construction.....29 (12 Months) Parking Spaces at completion.....282 No Parking Deficit Phase 3 Completion..+11
PHASE 1B / 1B.E1 and 1B.E2 – Earth	**PHASE 4 – CE Building 2**
Existing Parking Spaces.....210 Spaces taken for Staging Area.....7 Spaces taken for new construction.....1/3 Parking Spaces Available.....202/200 Sunday Peak Parking Demand Ph. 1B....262 Parking Deficit Phasing 1B / 1B.E1 and 1B.E2 Construction.....60/62 (3 Months each Phase) Parking Spaces at completion.....210 Parking Deficit Phase 1B Completion.....52	Existing Parking Spaces.....282 Spaces taken for Staging Area.....34 Spaces taken for new construction.....0 Spaces taken for parking access.....6 Parking Spaces Available.....242 Sunday Peak Parking Demand Ph. 4.....276 Parking Deficit Phase 4 Construction.....34 (12 Months) Parking Spaces at completion.....282 No Parking Deficit Phase 4 Completion...+6
PHASE 1C – Community Life Center	**PHASE 5 – N-half Parking Structure**
Existing Parking Spaces.....210 Spaces taken for Staging Area.....0 Spaces taken for new construction.....89 Spaces available 1st 2mo. of constrn.....121 Sunday Peak Parking Demand Ph. 1C....262 Parking Deficit 1st 2mo. of constrn.....118 (2 month +/- Period) Spaces available after 2mo. of constrn...262 No Parking Deficit after 2mo. of constrn....0 Parking Spaces at completion.....262 No Parking Deficit Phase 1C Completion...0	Existing Parking Spaces.....282 Spaces taken for Staging Area.....40 Spaces taken for new construction.....108 Parking Spaces Available.....134 Sunday Peak Parking Demand Ph. 5.....281 Parking Deficit Phase 5 Construction.....121 (6 Months) Parking Spaces at completion.....364 No Parking Deficit Phase 5 Completion.+83
PHASE 2 – S-half Parking Structure	**MASTER PLAN - COMPLETION**
Existing Parking Spaces.....262 Spaces taken for Staging Area.....44 Spaces taken for new construction.....130 Spaces taken for parking access.....6 Parking Spaces Available.....82 Sunday Peak Parking Demand Ph. 2.....267 Parking Deficit Phase 2 Construction.....161 (6 Months) Parking Spaces at completion.....294 No Parking Deficit Phase 2 Completion..+27	On site parking spaces at drive aisle.....34 Spaces Lower Level Parking Struct.....164 Spaces Upper Level Parking Struct .....166 Total Parking Spaces .....364 Sunday Peak Parking Demand Completion.....352 Parking at Completion.....364 No Parking Deficit at completion.....+12

SEE NOTES & ABBREVIATIONS FOLLOWING PAGE

NOTES:

1) General - See Conditional Use Permit Architectural submittal set, sheets A5.0, A5.1 and A5.2, for corresponding Phase Diagrams for construction sequence.
2) Temporary Play Area designated on Phase Diagrams is for use during week only. It is a roll-out / roll-up resilient surfacing. Parking spaces taken by this allocation will be available for use Saturday and Sunday and to accommodate Sunday peak parking demand.
3) The City of Dana Point parking code requires one (1) parking space per three (3) seats resulting in (195) required parking spaces for the Sanctuary, which will remain to have a capacity of (584).

Abbreviations:

A) constrn. = construction
B) mo. = month
C) Ph. = Phase
D) Struct. = Structure
E) temp. = temporary
F) vs. = versus

Prepared by: G.G. Kohlhagen – South Shores Church – Date: December 2014

ST. ANNE SCHOOL

An Independent Roman Catholic school recognized and within the Diocese of Orange

Accredited by WCEA/WASC and NAEYC
National Blue Ribbon School of Excellence

November 5, 2014

Mr. G. G. Kohlhagen
South Shores Church Building Committee
32712 Crown Valley Pkwy.
Dana Point, CA 92629

RE: Letter of Intent for Temporary Use of St. Anne School Parking Lot

Dear Mr. Kohlhagen,

St. Anne School has reviewed your request for the temporary use of approximately 90 parking spaces in our St. Anne parking lot in Laguna Niguel. The church needs the spaces during Phase IA construction of its Master Plan project. The St. Anne School spaces would be used on Sundays between 7:30 a.m. until 1:00 p.m.

We believe we can accommodate your needs and designate the spaces. However, you will need to provide appropriate insurance to cover any damage to church or patron vehicles using the lot or for damage to the lot caused by church vehicles or church patrons. In addition, a designated person from the church will need to confirm at approximately 1:00 p.m. after each use that the parking lot is left clean and without debris or trash.

Please contact David Hull at 949-276-6745 as soon as you know when and for how long you will need the spaces. He will work with you and our school staff to allocate the parking space you need.

Sincerely,

RAMIRO EUYOQUE, Director of Operations
ST. ANNE SCHOOL, a California Non-Profit Corporation

RE/cp
cc: Randy Adams, Head of School
David Hull, Facilities Manager

32451 Bear Brand Road • Laguna Niguel, California 92677
(949) 276-6700 • FAX (949) 276-6706 • www.st-anne.org

OC Public Works
Integrity, Accountability, Service, Trust
Shane L. Silsby, Director

October 27, 2014

NCL-14-030

Ms. Saima Qureshy, AICP, Senior Planner
City of Dana Point, Planning Division
Community Development Department
33282 Golden Lantern, Suite 209
Dana Point, California 92629

Subject: Notice of Availability of a Draft Environmental Impact Report for the South Shores Church Master Plan Project

Dear Ms. Qureshy:

The County of Orange has reviewed the Notice of Availability of a Draft Environmental Impact Report for the South Shores Church Master Plan Project and offers the following comments:

Environmental Resources:

1. Appendix G -Preliminary Water Quality Management Plan (WQMP), of the Draft Environmental Impact Report, makes a key finding that infiltration is not feasible. However, if the full design capture volume cannot be met with infiltration best management practices (BMPs), the project proponent next needs to assess the feasibility of evapotranspiration and rainwater harvesting BMPs before utilizing biofiltration BMPs. Section 7.11-2.4.3 (page 7.11 2-6) of the Model WQMP (http://ocwatersheds.com/documents/wqmp) notes that:

   7.II-2.4.3 Determine LID and Treatment Control BMP Performance Criteria The following performance criteria for LID implementation are stated in the South Orange County MS4 Permit:

   - *Priority Development Projects must infiltrated, harvest and use, evapotranspire, or biofilter, the 85th percentile, 24-hour storm event (Design Capture Volume).*
   - *A properly designed biofiltration system may only be considered if infiltration, harvest and use, and evapotranspiration (ET) cannot be feasibly implemented for the full design capture volume. In this case, infiltration, harvest and use, and ET practices must be implemented to the greatest extent feasible and biofiltration may be provided for the remaining design capture volume.*

> *A diversity of controls must be provided, where feasible, to achieve the greatest feasible retention of the Design Capture Volume, then if necessary, biofiltration of the remaining design capture volume.*

To ensure conformance with the Model WQMP that is referenced in the DEIR, the Preliminary WQMP needs to be revised to include an explicit evaluation of the infeasibility in this instance of harvest and use BMPs and ET BMPs.

2. Section 5 of the Preliminary WQMP, *Hydromodification/Hydrologic and Geotechnical Conditions of Concern/Drainage Report,* specifically the Hydrology Report Summary (page 15), describes the existing condition whereby drainage from the parking lot and other portions of the site that drain to the parking lot, is conveyed to an outlet structure at the southeast corner of the property. This outlet structure is a shallow basin that ultimately drains to a concrete V-ditch, which has a downstream connection to a reinforced concrete storm drain pipe. The proposed conditions would still ultimately convey onsite drainage to this V-ditch. It is not clear in the Preliminary WQMP or the Operations and Maintenance Plan who owns this V-ditch and would be responsible for maintenance to ensure that the V-ditch is kept free of debris and handles peak flows during storm events.

3. Section 3 of the Preliminary WQMP, *Project Site Assessment* (page 6), lists "Pacific Ocean – via municipal storm drain system" as the watershed in which the project lies. The watershed should be "Dana Point Coastal Streams Watershed, also known as Salt Creek Watershed."

4. Section 6.3.2 of the Preliminary WQMP, Sizing (page 77), cities the area required for treatment as 142 square feet. This appears to be a carryover from another worksheet; the area required should read 69 square feet: 228 sf > ~~142~~ 69 sf
   A provided > A required

5. Section 6.3.4 of the Preliminary WQMP, *Restrictions on Use of Infiltration BMPs* (page 81), misdirects the reader to Appendix D. The key information regarding the geotechnical restrictions on infiltration BMPs is presented in Section 2.6 of Appendix E.

If you have any questions or need clarification please do not hesitate to contact Jennifer Shook at (714) 955-0671.

Sincerely,

Laree Brommer, Manager, Planning Division
OC Public Works Service Area/OC Development Services
300 North Flower Street
Santa Ana, California 92702-4048
Laree.brommer@ocpw.ocgov.com

cc: Chris Crompton, Manager, OC Public Works/Environmental Resources